



FNHPA Guide

Implementing the Authority Having Jurisdiction (AHJ) in First Nation Communities for Buildings



First Nations Housing
Professionals Association

L'Association des professionnels de
l'habitation des Premières Nations



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1. Overview of Guide

The purpose of this guide is to provide councils, departments responsible for residential building or housing and other stakeholders interested in residential building guidance on communities' authority having jurisdiction (AHJ) and the responsibilities for construction under those authorities.

The guide explains how AHJ functions off-reserve and the responsibilities associated with those authorities. The guide also looks at how the AHJ functions on-reserve and the requirements councils should include to exercise their authorities in the construction of buildings.

The guide further focuses on the development of a building-permit or permission system. The information provided is updated from the manual produced in 2008 by the First Nations National Building Officers Association (FNNBOA), *The Building-Permit Process: Building Permits for First Nations*.

The building-permit models outlined in the guide are for the construction of new residential homes. They can also be applied to homes that are being renovated. The guide is designed to help any community introduce building permits. It explains what building permit are, how they are used off-reserve, the different stages to a building permit and how a building-permit system can be included in a council's housing administrative function.

The manual will be updated from time to time. Any feedback would be greatly appreciated. Please send any comments to info@fnnboa.ca.

1.1 Acknowledgements

FNNBOA wants to acknowledge Indigenous Services Canada for funding this project. FNNBOA also wants to thank those who contributed to the development of this document. Cover images provided by David Cooper, Prince Albert Grand Council.

1.2 Disclaimer

The guide is released to inform interested parties about the AHJ. The information provided is current at the time of publication. FNNBOA, FNHPA and the authors of the report assume no legal liability or responsibility for the accuracy, completeness or usefulness of any information. FNNBOA and FNHPA do not make any representations concerning the accuracy or reliability of the use of the materials on website or any sites linked to this paper. Councils should seek legal advice and professional guidance on the implementation of bylaws and policies related to the AHJ. Permission is granted to temporarily download the materials for personal, non-commercial transitory viewing only. To use materials for commercial or educational purposes, permission is required from FNNBOA. Contact FNNBOA at info@fnnboa.ca.

2. Introduction

Councils are the Authority of Jurisdiction (AHJ). As the governance bodies for their communities, they are responsible for ensuring that building codes and standards are established for their communities. First Nations building officers are responsible for the inspection of new and renovated homes and construction projects. The challenge for building officers is that they are enforcing building code regulations and standards without council having exercised their authority of jurisdiction (AHJ). The purpose of this document is to:

- Provide an overview of the AHJ regarding the construction and renovations of homes.
- Show how the AHJ is exercised off reserve for building construction.
- Provide an overview of the role of councils and the AHJ regarding building and construction.
- Provide a framework on how to implement the AHJ through bylaws and a permit/permission system.

This document has been developed with the assumption that the following activities have been completed:

- A comprehensive community plan/land use plan is in place.
- Council has the capacity to pass bylaws.

These activities should precede the development any framework for the construction of buildings and a building-permit system.

For more information on land-use planning, visit National Aboriginal Lands Managers Association (NALMA) at www.nalma.ca. NALMA has plenty of resources to help with land planning in your community. There are also professional land-use planners who have expertise working with First Nations to develop comprehensive plans or land-use plans.

Another excellent source of information is the Lands Advisory Board (www.labrc.com). They have the First Nations Land Management Resource Centre with information on surveys and land management information.

3. What is Authority Having Jurisdiction¹ (AHJ) Off Reserve?

According to the National Building Code:

Authority having jurisdiction means the governmental body responsible for the enforcement of any part of this Code or the

¹ The focus of AHJ is for the construction of residential buildings.

official or agency designated by that body to exercise such a function.²

Furthermore, the Royal Architectural Institute of Canada refers to the AHJ as:

A body having jurisdiction in certain matters of a public nature; a body having power under a statute to pass regulations to direct, specify, and govern elements or activities of construction projects such as safety, health, or standards of manufacture or installation; a government body responsible for the enforcement of any part of the building code, or the official or agency designated by that body to exercise such function (as per the National Building Code 2015).³

These two definitions of the AHJ illustrate that government bodies have the authorities when it comes to the construction of buildings.

3.1 Construction of Buildings and the AHJ Off Reserve

The federal government sets the building standards for construction under the National Building Code and other building standards. The code and standards are modified at the provincial level and administered at the municipal level.

Generally, the AHJ is the municipality or town that regulates provincial building code compliance within their jurisdiction. Some municipalities have the power to mandate their own standards for their building bylaws. These jurisdictions can create their own building conditions that go beyond the minimum requirements under the building codes.

The AHJ passes bylaws to acknowledge the provincial building codes or any revisions to those codes to make those provisions mandatory within their jurisdiction. When the AHJ adopts portions of building code and standards, they are incorporated into bylaws.

3.1.1 Overview of the Building Permits Process for Residential Development

The AHJ manages the building code through a building-permit system. Without a permit, the construction project cannot be legally implemented. This could lead to the owner being denied insurance, mortgage applications or loans.

The AHJ is responsible for the building code compliance process. Before any construction can be legally erected, the building project must be reviewed by the relevant AHJ. This typically requires a building permit system, a plan review and site inspections.

² National Building Code 2025. <https://nrc-publications.canada.ca/eng/view/ft/?id=adf1ad94-7ea8-4b08-a19f-653ebb7f45f6>

³ Royal Architectural Institute of Canada. Chapter 2.4: Building Regulations and Authorities Having Jurisdiction. <https://chop.raic.ca/chapter-2.4>

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A building permit is the authorization by the AHJ to start the construction phase of a building project. The AHJ is responsible for the implementation of a building-permit system. This includes that all planning requirements be met for new construction and is meant to guarantee a sustainable and controlled development of communities. Building permits are also important to ensure that homes are designed and built to building code and standards including meeting any accessibility standards and requirements. Figure 1 is an example of a building permit.

BUILDING PERMIT
PERMIS DE CONSTRUCTION

Date of Issuance: 2007-JUL-06 Application No / Demande n° : A07-005184
Date de délivrance: 2007-JUL-06 Permis No / Permis n° : 0704632

Permission is Hereby Given To / Le présent permis est délivré à

Property Owner(s) / Propriétaire(s)
Location / Lieu
Lot Number / Numéro du lot
Permit Type / Type de permis :
Project Description / Description du projet : **Repairs to foundation to an existing 2 storey single family dwelling**

Please contact the Inspector noted below prior to commencing construction /
Veuillez communiquer avec l'inspecteur mentionné ci-dessous avant de commencer les travaux

Building Inspector / Inspecteur en bâtiment : LOPER, ROBERT 613-580-2424 Ext./Poste 41398

Issued under the authority of / Délivrance autorisée par : **Arlene Grégoire**, Chief Building Official / Chef du service du bâtiment

The owner hereby covenants and agrees with the Corporation of the City of Ottawa, in consideration of the above Permit. The owner hereby agrees to indemnify and save harmless the said Corporation of the City of Ottawa, and all its Officers, Servants and Agents thereof, from all claims, demands and damages, arising out of or incurred by reason of the execution of the work above referred to, or by reason of Permit above granted.

Le propriétaire soussigné, accepte et convient avec la Ville d'Ottawa de lui contrepartie de sa délivrance. Le propriétaire convient également d'indemniser la Ville d'Ottawa et ses dirigeants, employés et mandataires des réclamations, exigences et poursuites en dommages-intérêts liés à l'exécution des travaux mentionnés ci-dessus ou à la délivrance dudit permis.

Witness my hand this date: July 06, 2007
Ce dont atteste ma signature en date du: 06 juillet, 2007

Issued To:
Délivré à:

Signature du propriétaire ou de l'agent autorisé

POST THIS PERMIT IN A CONSPICUOUS PLACE
PRIÈRE D'AFFICHER EN UN ENDROIT BIEN EN VUE

Original / Original

Figure 1 Copy of City of Ottawa Building Permit

Before a building permit is issued, the applicant must have a site plan. Site plans are drawings that are an overhead “bird’s eye view” of the site, sometimes referred to as a “lan view.” The purpose of a site plan is to show the layout and features of the site. Site plans are expected to be of professional quality. The site plan should show information such as property address, legal description, scale of the plan, property lines, existing and proposed buildings, setbacks from property line, location of easements or right of way and driveway access from the road.

Building or renovation projects must meet local zoning requirements. Local governments use zoning bylaws to regulate how a property can be used. The bylaws also provide for development standards that includes the size of the lot (urban versus rural areas). These development standards include lot area, lot frontage, lot coverage, setbacks (front back and side) and building height.

The planning and research that goes into developing construction plans is a soft cost. This includes: paying engineers and architects to develop plans; conducting studies (e.g., soil testing); insurance; legal costs and researching other topics (landscaping design) before a project begins. In contrast, hard costs are those associated with physical building construction (also known as the brick-and-mortar costs).

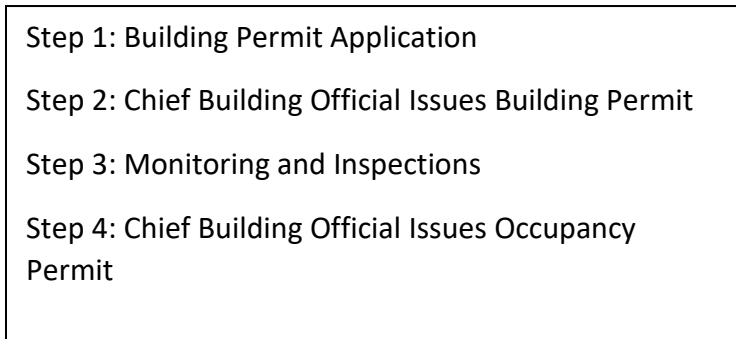


Figure 2 General Building Permit Process

The contractor or builder (engineer or architects) or owner prepares to meet the AHJ requirements by completing permit application forms, checklists, blueprints and certain plans and the accompanying permit fee. The AHJ’s local building department conducts a “plan check,” and if the review shows that the permit applications meet requirements, construction can begin.

3.1.2 Inspections

The AHJ conducts regulatory oversight via several field inspections (i.e., field inspections involve separate or integrated building, electrical and fire inspections), the completion of which are necessary for final approval of a project and insurance of an occupy permit. See Figure 2. This process is based on Ontario; other provinces will have a different approval process.

The AHJ has staff trained with expertise in building, electrical and plumbing tasked with interpreting and enforcing the applicable sections of the building code⁴. Planners and building inspectors review plans and applications, conduct site inspections and issue or deny permits.

Prior to a building application being deemed complete, the inspector will confirm with the municipal planner that the type of proposed construction is permitted and meets all the requirements of the zone. The inspector will review the construction plans for compliance with the building code. The chief building official, who can be an employee of the municipality or town or may be hired under contract, is responsible for the enforcement and compliance of the building code and standards.

⁴ Communities that do not have the trained staff hire experts under contracts.

If the proposed application meets all building code requirements, the application is deemed complete, and construction can begin. Inspections for the proposed construction are coordinated from the time the excavation is dug to when the building is complete, to confirm that all code requirements have been satisfied.

If any inspections identify a code violation, the builder will work with the inspector to remedy the violation. Once the building is completed to the satisfaction of the inspectors, an Occupancy Permit is issued. The Occupancy Permit is confirmation the building is constructed in accordance with the requirements of the building code and any other applicable regulations.

Figure 3 is an example of the building permit application for the Town of High Level, Alta.

1. Two complete sets of drawings
2. Buildings with preserved wood foundations must include engineered drawings
3. Drawings from the roof truss designer for the pre-engineered roof trusses
4. Completed Building Permit application including:
 1. Owner's name, address and phone number
 2. Contractor's name, address and phone number
 3. Engineer/architect name, address and phone number
 4. Construction address
 5. Construction value
 6. Application fee

Figure 3: Example of information required for building permit application

Figure 4 gives an overview of the inspection process for the city of Grand Prairie, Alta. The figure shows that the building inspection requires seven inspections, electrical and plumbing inspections require three inspections and gas inspections require two inspections. The number of inspections varies among the municipalities and towns.

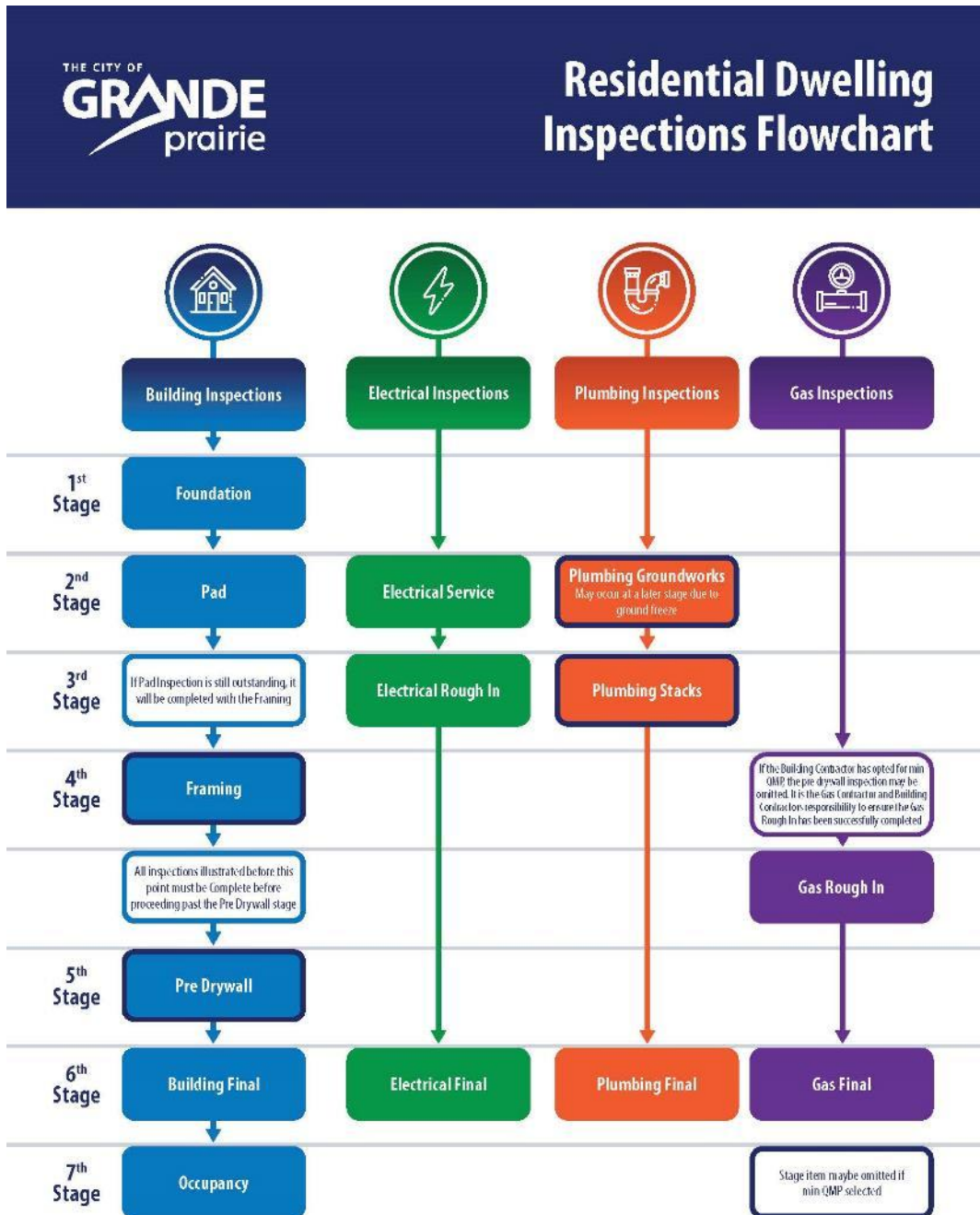


Figure 4: Building inspections for City of Grande Prairie

3.2 Compliance Framework

Where an inspection reveals noncompliance with the building code or other standards, the building official notifies the applicant and owner in writing of the violations to be corrected. If, after written notification, the violation is not corrected within a specific time, a stop-work order may be served and a copy of the stop-work order (sample in Appendix A) is posted at the

construction site. The stop-work order is not removed except by written notice of the building official after satisfactory evidence has been presented that the violations were corrected.

3.3 Different Types of Building Permits

Provincial building codes require a permit for specific building activities. For example, the Ontario Building Code requires a building permit for the following projects:

- Construct a new residential home
- Renovate, repair or add to a residential home
- Demolish or remove all or a portion of a building
- Finish a basement or convert a room to a bedroom
- Construct a second dwelling unit
- Construct a farm building
- Change a building's use
- Install, change or remove interior, exterior or load-bearing walls
- Make new openings for, or change the size of, doors and windows
- Build a garage, balcony or deck or enclose an existing deck
- Build a utility shed over 166 ft (15m²)
- Erect a swimming pool
- Excavate a basement or construct a foundation
- Install or modify any life safety or fire suppression system such as fire alarms, sprinkler or standpipe or fixed extinguishing systems including commercial kitchen exhaust hoods and the installation of electromagnetic locking devices
- Install or modify heating, plumbing and air conditioning systems, fireplaces, fireplace inserts and woodstoves
- Install kitchen or bathroom cupboards with plumbing (based on value)
- Construct a chimney

Each one of these building permits have their own application process and requirements.

4. Legislative Framework for the AHJ

Generally, the provincial building code, acts and regulations clearly state how the AHJ will be administered.

AHJ administers building permits to:

1. Determine if a permit is required if work regulated by Code is to be done.
2. Place a value on the issuance of the permit and charge fees.
3. Withhold an occupancy permit for reasons such as a non-valid electrical permit is issued by the electrical AHJ.
4. Withhold a building permit until issues are resolved with surrounding lands.
5. Develop an application process.

5. Responsibilities for the AHJ and Owners

5.1 AHJ Responsibilities

Provincial building code acts have regulations that specifically state the municipality's or town's obligations under the AHJ. These include:

1. Determining the qualifications of building officials (e.g., training, member in good standing with their provincial association)
2. Administering and enforcing the *Building Code Act* and Regulations
3. The AHJ must keep copies of all applications received, permits and orders issued and tests made and of all paper documents in the administration thereof
4. Issuing notices in writing where the owner is in contravention of building code regulations – sets out how the notices and orders are to be delivered and to whom
5. Responding to relevant questions on the building code but not providing advice that may be viewed as acting in the capacity of a designer
6. Inspect sites for occupational health and safety
7. Duty to inform owner of plans review requirement (e.g., classes of occupancies)
8. Right to enter property at any reasonable time for the purpose of administering or enforcing *Building Code Act* and regulations
9. Power to order a person to comply by issuing stop-work orders; removing unauthorized encroachments; removing constructed areas; issuing a stop occupancy until conditions are safe
10. Ordering tests of materials, equipment, devices, construction methods, structural assemblies or foundations. at the expense of owner to provide evidence that construction meets building code regulations
11. Issuing conditional building or occupancy permit
12. Refusing to issue permit
13. Revoking a permit
14. Providing reasons for refusal

5.2 Owner's Responsibilities

The legislation clearly states the obligations of the owners and their responsibilities in acquiring a building permit:

1. Require permits or approval prior to starting work
2. Submit building plans to fire chief/marshal for construction or alterations for review prior to starting construction
3. Provide start date
4. Provide information about the contractor(s), designer, architect, professional engineers and name of person performing field-review construction(s)
5. Name of person doing any testing (e.g., water, soil)
6. Provide site plan
7. Professional design and review and for structural components

8. Site conditions, size or complexity requiring professional design and inspection
9. Design for sprinkler system
10. Ground evaluation or alteration to property boundary
11. Provide notice of inspections for these stages:
 - a. footing in place
 - b. subfloor plumbing
 - c. subfloor and foundation insulation
 - d. pre-backfill
 - e. except for manufactured and modular homes,
 - i. the framing, roof and plumbing and mechanical systems
 - ii. insulation and vapour barrier before wall framing-in is covered
 - f. for manufactured and modular homes,
 - i. superstructure installation and anchorage systems
 - ii. foundation insulation and vapour barrier before wall framing is covered, and plumbing connections before the first floor and before occupancy
12. Provide any test or inspections to prove compliance at owner's expense

In addition, the *Building Code Act* and regulations provide the roles and responsibilities of the architect, professional engineers, interior designer and contractors.

6. First Nations Communities and AHJ

In First Nations, lands are regulated under the *Indian Act*, the main source of authority governing land use in First Nations. Section 81 of the *Act* gives First Nations bylaw-making powers to regulate matters on the reserve such as traffic, residency, public health, trespassing and noise.⁵ When it comes to building and construction, the *Act* states:

81 (1) The council of a band may make bylaws not inconsistent with this *Act* or with any regulation made by the Governor in Council or the Minister, for any or all the following purposes, namely,

(g) the dividing of the reserve or a portion thereof into zones and the prohibition of the construction or maintenance of any class of buildings or the carrying on of any class of business, trade or calling in any zone;

(h) the regulation of the construction, repair and use of buildings, whether owned by the band or by individual members of the band;

(i) the survey and allotment of reserve lands among the members of the band and the establishment of a register of Certificates of Possession and Certificates of Occupation

⁵ <https://laws-lois.justice.gc.ca/eng/acts/I-5/section-81.html>

relating to allotments and the setting apart of reserve lands for common use, if authority has been granted under section 60;⁶

These bylaws are to reference a building code. At the national level, the National Building Code of Canada acts as a model building code, which is used to create the foundation of building codes at the provincial level. Under contractual arrangements with the federal government (comprehensive funding agreements) and through protocol, construction of buildings must conform to the National Building Code⁷, unless the council adopts the building code within their jurisdiction.

Not all reserve lands are administered under the *Indian Act*. Many First Nations have entered the *First Nations Land Management Act (FNLMA)*, allowing them to enact and administer their own land codes. Once a land code is established, Section 20 (2) of the *FNLMA* gives the council law-making power in areas such as the regulation, control, prohibition of land use and development, including zoning and subdivision control.⁸ As of 2019, 153 First Nations had entered First Nations Land Management and have either developed or are operating under their own land codes⁹.

In First Nation communities, the band council is the AHJ¹⁰ with respect to building homes in their communities. The band council exercises the AHJ by passing band bylaws. Band bylaws are passed by a band council to help control certain activities within the community, including implementation of building-permit processes, complete with the authority to apply and enforce building codes, standards and construction practices. The federal government maintains that

⁶ See: <https://laws-lois.justice.gc.ca/eng/acts/I-5/section-81.html>

⁷ Also includes the *Canadian Electrical Code, National Plumbing Code of Canada, National Farm Code of Canada, CAN/CSA-B149.1-05 – Natural Gas and Propane Installation Code, Code of practice for storage tank systems containing petroleum and allied products: part 3, CAN/CSA B651-12 Accessible Design for the Built Environment (Standard), Primary differences between the Technical Standards - Barrier-free Design Standard (CAN/CSA-B651-M95) and Accessible Design for the Built Environment (CAN/CSA-B651-04), CAN/CSA Z614-07 Children’s Play spaces and equipment (Standard), Canada Green Building Council the Leadership in Energy and Environmental Design LEED Standards - Silver (Equivalent to the “Silver” LEED Standard without the certification. LEED Certification is voluntarily and will not be funded by INAC), Royal Architectural Institute of Canada - Canadian Standard Form of Contract for Architectural Services, Document Six 2006 Edition, National Master Specifications (NMS). Source: (INAC 2016)) Protocol for INAC-Funded Infrastructure (version 2).*

⁸ <https://laws-lois.justice.gc.ca/eng/acts/f-11.8/page-2.html#docCont> [BROKEN LINK, March 30, 2026]

⁹ See: <https://www.sac-isc.gc.ca/eng/1327090675492/1611953585165>

¹⁰ FNNBOA has been advocating the importance of the AHJ and its impact on First Nations Communities. ISC as part of its level of Service Standards – Fire Protection Services – Capital Facilities and Maintenance Program defined AHJ as “Local government having the authority to determine standards when not defined by legislated or adopted codes (i.e. the governmental body responsible for the enforcement of any part of this Code or the official or the agency designated by that body to exercise such a function).” See <https://www.sac-isc.gc.ca/eng/1100100010632/1534353148780>

First Nations are the AHJ for housing, meaning that they are the level of government with the authority to enact bylaws in relation to building codes on reserves. However, this understanding is not widely shared among First Nations.

6.1 AHJ Seldom Used

In many communities, councils have not properly exercised their AHJ. They have not passed any band bylaws to ensure that homes are constructed according to a building code¹¹. Some have passed bylaws that are out of date. In some cases, First Nations have a building permit process and no bylaws to support the process. In other cases, there are bylaws but no actual administration of the bylaw (e.g., the bylaw states that you must have a building permit application, but it has not been implemented). In other cases, bylaws are applied equally to all construction activities in the community. In these situations, the bylaws may apply to non-members (e.g., cottage owners) and not to community members.

Most councils have not exercised their AHJ by implementing a clear set of policies. This includes policies regarding the requirements on how new construction and renovations will be conducted. In some instances, tribal councils provide construction building support that includes plan reviews and inspections.

Furthermore, many councils have not implemented a building permit system. Even as land development is becoming a principal indicator of economic growth, there is no framework to support this growth in housing and infrastructure. While building permit frameworks are well entrenched in municipalities and towns, they have generally not been adopted by councils.

New construction must be inspected during construction and after completion to ensure compliance with building codes and specific requirements for the communities. Generally, the only inspection requirements are those imposed by federally funded projects. Individuals building their own homes are responsible for their own inspections, but these are seldom carried out by the council.

Without band bylaws, there is no process to approve the site where the home is to be built or the plans. Without band bylaws, homes may not be inspected to make sure they are constructed according to a building code. Without band bylaws, inspections are not based on code compliance, but rather on a housing policy. Without band bylaws, the inspectors may not be qualified or have the power to stop the construction if the home is not being built to code or to force the contractor to fix the problem.

6.2 Challenges of Not Exercising the AHJ

Without band bylaws, without a final inspection, the issuance of an occupancy permit or a letter to state it is safe to move in, the home may not be safe to occupy. Without band bylaws,

¹¹ A review of the building-code-related bylaws revealed that fewer than 10 per cent of the communities have implemented such building-related bylaws.

the council will ultimately be responsible to pay for repairs to home. The council may also be legally responsible to fix private homes that are not built in accordance with their bylaws. Finally, if councils have not adopted national or provincial building codes by passing a bylaw, the codes have no legal status.

A larger issue faces councils that do not have a building permit system. Contractors working off-reserve are hesitant to respond to construction tenders on-reserve. This becomes a challenge for some communities since off-reserve contractors can provide the necessary labour and resources to build needed housing or to repair existing homes. Furthermore, individuals who have land to build their own homes are unaware of the building process.

Stories abound in which families move back to their communities and build a new home. Years later, there are problems with the roof or serious deficiencies with the foundation. When the homeowners contact their insurance company to file a claim, they are asked to provide supporting documentation such as building permits and inspection reports or copies of the band bylaws. Unfortunately, such information may not exist.

The homeowner then hires a lawyer to sue the band council as they have the AHJ to ensure that all homes are built properly¹². There are also cases where band-built homes are not safe (for example, hand railings poorly installed or not installed at all) and the occupants are injured. Band councils, realizing their responsibility to the community, eventually agree to provide compensation by taking funds from their capital or other program areas to pay for the repairs or the new home.

7. Example of a Community That Does Not Mandate a Building Permit

A First Nation community in Canada is located near an urban centre. This community is well staffed in terms of a housing department, inspectors and engineers. However, a building permit is not required by members to build a new home or renovate an existing home. The inspector was reviewing the house and found many violations of the building code: (see next page).

¹² The AHJ becomes more paramount when dealing with infrastructure as they are responsible for the requirements under any infrastructure project (Alberta, 2018).

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Unsupported interior partitions. Furring strips should be added before interior partitions are attached.



Rim joist missing and improper framing



Bottom of window very low, a concern for person falling out the second floor

The inspector for the community provided the following note:

“...the person decided to build their own home without going through any of our programs and without seeking a qualified contractor who then asked for a large amount of cash from her and then once construction was started and mistakes were made split the scene. Another contractor was hired to finish the job and fix the mistakes (homeowner still was not aware of them) and didn’t correct but added to the problems. The safety inspector took it upon himself to venture into the structure and alarms went off and that is when I was asked to support/back up his findings. The homeowners were unaware there were problems from the beginning and the contractor on site was very abrasive/defensive and resented our presence on the site. The homeowner later contacted our office seeking assistance.”

This was another case of the homeowner not hiring a qualified contractor to build their home.

8. AHJ and Potential Legal Responsibilities for First Nation Communities

Councils that operate in a similar vein to municipalities engage in a wide range of activities. Many of these activities could be the source of potential liability, including:

- installation and maintenance of physical facilities for municipal services such as water, sanitary sewers and storm sewers
- issuance of building and development permits
- inspection of building construction
- maintenance and inspection of roadways and traffic signs

This list is not exhaustive and each of these areas has potential liabilities. While there appear to be no specific legal cases regarding councils and their responsibilities under the AHJ, there have been legal cases regarding municipalities and their AHJ on construction projects.

For example, the case of *City of Kamloops v. Nielsen*, [1984] 2 S.C.R. 2, the Supreme Court of Canada looked at the issue of “whether a municipality can be held liable for negligence in failing to prevent the construction of a house with defective foundations.”¹³

In this case, a house in Kamloops, B.C. had insufficient foundations, discovered upon inspection by the city. Stop-work orders were issued but not enforced. The house was sold to the Nielsen family. On discovering the construction deficiencies, the family sued the city for negligent performance of inspection. The court found that the city was 25 per cent liable because it did not properly carry out its inspection function.

Other cases have placed liability on municipalities, which may or may not be extended to band councils.

Liability was again imposed by the *British Columbia Supreme Court in Littler v. Mission (District)* [1991] B.C.J. No. 2600. In this case, the corporation of the District of Mission was found liable for its failure, prior to issuing a licence, to ensure that a business was being carried out in a zone that allowed for its operation. When it was discovered that the zoning did not permit that type of business, additional permits were refused. The plaintiff successfully sued for relocation expenses and lost profits of more than \$66,000. The losses were purely economic.

In another case, *Hartnett et al. v. Wailea Construction Ltd. (1989) (B.C.S.C.)* the municipality was held liable for issuing building permits where it had information from soils tests that the land was inappropriate for construction and the requirements of the building code could not be met.

¹³ Kamloops, supra, note 50, at 5.

In *Rothfield v. Manolakas [1990] 1 W.W.R. 408 (Supreme Court of Canada)*, the municipality was liable because of the negligence of the building inspector in failing to detect design inadequacies after reviewing building plans prior to construction.

This area appears to be prone to litigation, and liability appears to be being placed on municipalities. As First Nations communities move towards home ownership and tenants residing in band-owned homes become aware of their rights, it is inevitable that councils' liabilities will be challenged. Further research is required, which is outside of the scope of this project.

9. Comparison of AHJ Between On- and Off-Reserve

The table below illustrates how AHJ is implemented in municipalities/towns and Indigenous communities.

Activities	On Reserve	Off Reserve
Authorities	<i>Indian Act</i> , modern treaties, comprehensive funding agreements. Councils need to pass bylaws to give authority.	Provincial legislation authorities (Municipal Act [Ontario]) and most importantly the <i>Building Code Act</i> [Ontario] municipal council (and others) to appoint staff and assign duties and responsibilities to administer regulations.
Role of Authorities	Generally undefined	Chief building official appointed by municipality for purpose of enforcement of <i>Act</i> . The roles and responsibilities are clearly provided in policies and procedures.
Building Permits	No building permit system per se occur. Owners/contractors are left on their own to do as pleased.	The client or their agent (sometimes the architect) must submit an “application to build” to local building officials and usually must verify the correctness of the application by a statutory declaration. The application is accompanied by a stipulated number of sets of architectural, structural, mechanical and electrical documents for the proposed building. Contractor is mainly responsible for obtaining a permit.
Official Site/Plan review	Some communities have a process formalized via bylaws, policies or process. The majority of communities have no formal	Officials review the application for compliance with municipal bylaws, regulations and the building code. Other municipal bodies — such as

Activities	On Reserve	Off Reserve
	process in place to define their AHJ.	fire, planning, health, forestry and public works departments — may also review the application. When the documents are approved, a building permit is issued. The applicant is advised of any non-complying items.
Building Code Inspections	Required at various stages of construction to ensure all construction is done in accordance with approved plans. Mainly for new construction. Seldom are inspections done for renovations.	Required at various stages of construction to ensure all construction is done in accordance with approved plans. This includes new and renovations.
Enforcement	Moral suasion (i.e., fix it or you don't get paid) and education are key. Most bylaws do not allow for stop-work orders.	Issue compliance orders; stop work until corrections have been made; lay charges in cases of serious infractions. Moral suasion and education a major part of enforcement.
Court Cases	No cases directly. However, one could infer based on decisions against municipalities.	Several court cases have focused on the role of building-code inspections and processes and have in many cases ruled against the municipalities.

10. First Nation Communities That Exercise Their AHJ

Some Indigenous communities have passed bylaws to exercise their AHJ:

- Squamish Nation (under section 81 of the *Indian Act*)¹⁴
- Campbell River Indian Band (under section 81 of the *Indian Act*)¹⁵
- Chippewas of Mnjikanning First Nation (under section 81 of the *Indian Act*)¹⁶
- Opaskwayak Cree Nation (under *First Nations Land Management Act*)¹⁷
- Kinistin Saulteaux Nation (under *First Nations Land Management Act*)
- West Bank First Nation (under *First Nations Land Management Act*)
- Tsawwassen First Nation (Under *First Nations Land Management Act*)

¹⁴ The bylaw has been proposed and waiting to come into force <https://partii-partiii.fng.ca/fng-gpn-ii-iii/pii/en/item/521083/index.do?q=building+code> [Still waiting? Check? Dates of 2005, 2022 here)

¹⁵ <https://partii-partiii.fng.ca/fng-gpn-ii-iii/pii/en/item/475120/index.do?q=building+code>

¹⁶ <https://partii-partiii.fng.ca/fng-gpn-ii-iii/pii/en/item/474244/index.do?q=building+code>

¹⁷ This was passed by a band council resolution and not by the introduction of a bylaw.

- Enoch Cree Nation (under section 81 of the *Indian Act*) (passed Land Use Plan and Land Use Bylaw)

11. Land Development and Construction

Land development is essential for a community's quality of life and overall success. While development can sometimes be frowned upon, given that it changes the landscape and can affect ecosystems and wildlife, it is imperative for the prosperity of a community. Finding a balance between growth and maintaining the desired character of any community is key to land development projects and orderly development.

In land development, there are two important planning documents: the Official Plan (Master Plan) and zoning bylaw.

The Official Plan is a policy document that establishes a vision for a municipality to grow. The plan also sets policies intended to provide the best quality of life in the municipality. A zoning bylaw is tasked with implementing the ideas of the Official Plan.

The document divides the municipality into zones of similar or compatible uses. The most common land uses are various degrees of residential, commercial and industrial. The bylaw also provides development standards to describe consistency for each zone.

Development standards include minimum lot size, frontage, setbacks, lot coverage and building height. Compliance with the Official Plan and zoning bylaw aims to provide orderly development and protect the environment within a municipality. Zoning bylaws are further discussed in this document.

The authority for a municipality to develop planning documents is embedded in the Constitution. The federal government gives the power to deal with land use matters to the province and passes this responsibility on to the municipality. All three levels of government are acting in the interest of the public. Similarly, the *Indian Act* and the *FNMLA* gives the councils the authority to develop official plans and to pass zoning bylaws.

As mentioned earlier, it is assumed that councils have developed an official plan or comprehensive plan for the community as this is an essential to support the construction process.

12. Community Planning and Zoning for AHJ¹⁸

The terms community planning, land use planning and zoning are often used in First Nations and other Indigenous communities across Canada. The presence of housing is a central feature of these communities, and can be accompanied by commercial, industrial, community service (such as schools, recreation and health centres) and other activities. Many communities have chosen to organize these activities on their land base, in a geographic sense, and manage their physical form.

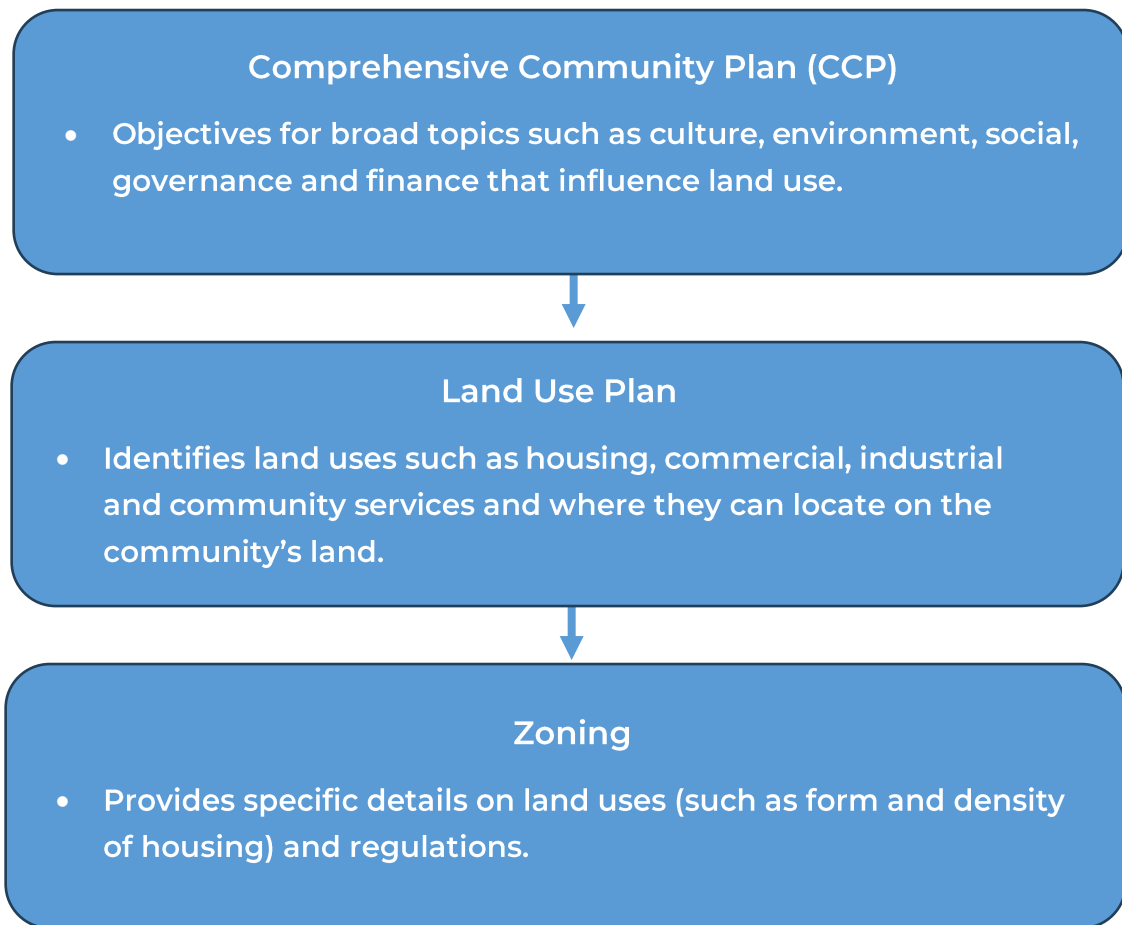
The purpose of this brief is to provide an overview of community planning and zoning, with a particular focus on housing. It is organized into the following sections:

- **Hierarchy of Planning Activities:** This section illustrates the typical hierarchy of plans, starting from the broad and moving to the specific.
- **Comprehensive Community Plans:** This is a common term, especially in First Nations communities. This section describes what is meant by Comprehensive Community Plans (CCPs) and provides a reference that guides their development, along with an example of a completed CCP.
- **Land Use Plans:** First Nations and other Indigenous communities may be familiar with land use plans at a regional scale, encompassing their territories and other activities (such as resource extraction and local government jurisdictions) that take place within them. This section will focus on land use plans at the community level and provide both examples as well as references to further information.
- **Zoning:** This term may be less familiar in an Indigenous context yet is very common among local governments across Canada. The concept of zoning is described in this section, with examples as well as further references provided.
- **Relationship to Infrastructure Development:** The final section of this brief describes the relationship between community planning/zoning and infrastructure development.

¹⁸ This section was written by John Dumbrell, Community Planner, Urban Systems Ltd.

14.3 Hierarchy of Planning Activities

First Nations and other Indigenous communities undertake a variety of plans – health and wellness plans, financial plans, child and family service plans and infrastructure plans are all examples. There is a typical hierarchy of planning activities that is useful to consider when thinking about land use and zoning. This is described in the following graphic.



Not all communities will have all three of the documents shown in this hierarchy. Some have a CCP, but no land use or zoning. Others have just a land-use plan. It is, however, helpful if all three are available. As the CCP sets the broad context for the community’s lands and their uses, the land-use plan places those in specific locations, while zoning provides details. Each of these steps in the hierarchy is detailed in the following sections.

14.4 Comprehensive Community Plans

As noted above, Comprehensive Community Plans (CCPs) may be better known to First Nations than other Indigenous communities in Canada. The intent of a CCP is to undertake a community-driven process to develop a vision and key topics the community wishes to address. Key topics are often separated into groupings such as health, economic development, social issues, environment, culture, governance, land and resources and infrastructure development – but there is much flexibility to tailor-make these to community needs. Once the topics are defined, background information can be gathered, and the community comes together to develop objectives and actions on how to move forward.

How do CCPs relate to land-use plans and zoning in a community? Consider the following typical CCP topics and how they relate to land use.

- Lands – What is the community’s land base (such as reserve, treaty, fee simple or other lands)?
- Environment and Culture – Is it important to the community to protect from housing and other development the environmentally and culturally-sensitive areas on the community’s lands?
- Economic Development – Does the community have economic development objectives, and if so, how should land be identified for these uses?
- Social Issues – Should education, recreation, health care and other services be located in-community?

Two CCP references may be helpful to housing managers. The first is called the *CCP Handbook – Comprehensive Community Planning for First Nations*. This handbook was developed with First Nations in British Columbia but is useful to other First Nations and Indigenous communities across Canada. It can be accessed via:

[CCP Handbook - Comprehensive Community Planning for First Nations in British Columbia Fourth Edition](#)

The Snpink'tn (Penticton) Indian Band has completed a CCP:

<https://pib.ca/community/community-comprehensive-plan-2/>

14.5 Land-use Plans

Land-use plans indicate where a community’s lands can be used, and for what purposes. It is important to clarify what the term “used” means in this context – it does not necessarily mean that the land is disturbed, and buildings placed on it (although it can mean this too). The following table provides a list of land uses that often appear on plans, along with brief descriptions.

Land Use	Description (examples)
Hazard	Floodplain, unstable soils, steep slopes
Environment	Sensitive areas due to habitats, streamside riparian areas
Resource	Agriculture, forestry, mineral development and similar activities
Culture	Sensitive areas due to traditional plants, artifacts, activities, burials
Residential (Housing)	Single-family dwelling
Commercial	Retail store, office space
Industrial	Manufacturing and storage
Community (Institutional)	Education and other community-service activities.

When preparing a land-use plan, communities typically determine which of their lands should be set aside from development (e.g. hazard, environment, resource and cultural areas), project what future needs require building on the land (e.g. residential housing, commercial, etc.) and then place those future needs on the remaining lands not set aside from development. As with preparing a CCP, this is best accomplished as a community-driven process.

Land-use plans can be developed within the optional legal frameworks available to First Nations in Canada. These include:

- *Indian Act – Section 81*
- *Framework Agreement on First Nations Land Management Act* – for those Nations that have an operational Land Code that provides for the preparation of a land-use plan.
- *Treaty* – within the provisions of the treaty.

Here are some examples of Nations that have prepared land-use plans within each of the legal frameworks noted above.

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Legal Framework for Land Use Plan	Examples
<i>Indian Act</i>	<ul style="list-style-type: none"> • Enoch Cree Nation (Alberta) Integrated Land Use Plan (available at this link Enoch Cree Nation Integrated Land Use Plan By-law - First Nations Gazette) • Note that other examples are also available via the <i>First Nations Gazette</i>
<i>Framework Agreement on First Nations Land Management Act (Land Code)</i>	<ul style="list-style-type: none"> • Opaskwayak Cree Nation (Manitoba) Land Use Community Plan Natural Resources Law (available at this link, along with other examples) • Land Use & Zoning Laws · First Nations Land Management Resource Centre (RC)
Treaty	<ul style="list-style-type: none"> • Tsawwassen First Nation, developed under the provisions of the Nation's <i>Land Use Planning and Development Act</i> • Land-use plan can be accessed here 1158-049-00-Industrial and Commercial Bulletin-080917jh

14.6 Zoning

Zoning provides a higher level of detail than CCPs or land-use plans with regard to how land within a community can be managed. There are two main elements of zoning – permitted uses and regulations – and they are typically described in some detail where there is going to be development of and building on the land.

Permitted uses provide a detailed breakdown of the broad categories within land-use plans. The following table provides examples.

Land Use	Permitted Uses Specified in Zoning (examples)
Residential (Housing)	<ul style="list-style-type: none"> • Single-Family Dwelling • Two-Family Dwelling (Duplex) • Multi-Family Dwelling - Townhouse • Multi Family Dwelling – Apartment
Commercial – Highway	<ul style="list-style-type: none"> • Gas Station • Convenience Store • Restaurant • Accommodations

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Land Use	Permitted Uses Specified in Zoning (examples)
Commercial – Community Core	<ul style="list-style-type: none"> • Retail • Office • Restaurant
Industrial – Light	<ul style="list-style-type: none"> • Storage and Warehousing • Contractor’s Office • Manufacturing (enclosed in building)
Industrial – Heavy	<ul style="list-style-type: none"> • Manufacturing of forest, mineral, agricultural or similar resources partially or fully outside buildings, including outside storage areas
Community (Institutional)	<ul style="list-style-type: none"> • School • Health Centre • Recreation Facility • Administration Office

The second common element of zoning is regulations for the minimum size of individual land parcels (also referred to as lots) for subdivision of land, permitted densities of residential (housing) development and dimensions that apply to buildings. Each of these areas of regulation is described with examples in the following table.

Zoning Regulations	Examples
Minimum Parcel (Lot) Size	<ul style="list-style-type: none"> • 500 square metres for single-family residence (on community sewer and water systems) • 0.5 hectare for single-family residence (with septic tank / field for wastewater disposal) • 1 hectare for commercial – highway development • 10 hectares for industrial – heavy development
Maximum Permitted Density for Multi-Family Housing	<ul style="list-style-type: none"> • 30 units per hectare for low-density multi-family residential development
Dimensions Applying to Buildings	<ul style="list-style-type: none"> • Minimum setbacks of buildings from front, rear and side parcel lines • Maximum coverage of parcel by buildings (x%) • Maximum building height

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A number of Nations have implemented zoning within the different legal frameworks noted above. These include the Nations cited earlier – Enoch Cree, Opaskwayak Cree and Tsawwassen. The following table provides specific links along with references to other examples.

Legal Framework for Zoning	Examples
<i>Indian Act</i>	<ul style="list-style-type: none"> • Enoch Cree Nation (Alberta) Zoning Bylaw (available at document.do) • Note that other examples are also available via the <i>First Nations Gazette</i>
<i>Framework Agreement on First Nation Land Management Act (Land Code)</i>	<ul style="list-style-type: none"> • Opaskwayak Cree Nation (Manitoba) Zoning Regulation (available at this link, along with other examples) • Land Use & Zoning Laws - First Nations Land Management Resource Centre (RC)
Treaty	<ul style="list-style-type: none"> • Tsawwassen First Nation, developed under the provisions of the Nation's <i>Land Use Planning and Development Act</i> • Zoning Regulation can be accessed here: Zoning Regulation O.062-2021

The following maps provide an example of a land-use plan and zoning bylaw for Enoch Cree Nation. See the links above for the text that accompanies these maps.

14.7 Relationship to Infrastructure Development

There is a direct relationship between the development of infrastructure (such as roads and community water and sewer systems) and land use planning and zoning. This relationship can be thought of in two ways. First, if this infrastructure already exists, and has some extra capacity, it is efficient to locate new development where it can be easily serviced by the infrastructure. A good example is a vacant parcel of land that already has a road and water/sewer lines adjacent to it. Second, where the infrastructure does not have any spare capacity, land-use planning is very helpful to plan the required expansions to the system. For example, a land-use plan that looks 10 to 15 years ahead will allow future demands to be estimated (such as number of additional member housing units and/or new commercial development on leased lands), and these demands to be considered when sizing the upgrade to the community's water system.

13. How to Implement the AHJ

The band council is responsible for enforcing their building code bylaws and issuing building permits and an occupancy certificate or permit.

12.1 Building Permit or Permission to Build in First Nations

A building permit is a formal written approval from the band council to construct, add on to, renovate, alter or demolish existing buildings. Building permits are necessary because they enable a band council to ensure that all buildings meet the terms set out by band and zoning bylaws, which include the provincial or National Building Code and any health and safety regulations that may come into play. They help ensure that buildings are safe for occupants.

Many instances require an individual to obtain a building permit. These include but are not restricted to:

- building a new home
- renovating or altering an existing home
- constructing an addition to an existing home
- constructing an ancillary building on a residential property such as a garage
- demolition of a structure

12.2 Other Types of Permits

Other types of permits may be required, depending on the jurisdiction having authority, as well as the bylaws. These may include:

- a plumbing permit to install any plumbing, gas or drainage piping work or any fixture or water heating, or to install any treatment equipment or alter, repair or replace, unless specifically exempted by the plumbing codes;

- an electrical permit to install any electrical system or alter, repair, replace or remodel, unless specifically exempted by electrical codes;
- a permit to install a private sewage disposal or septic system.

In some cases, the building permit includes plumbing and electrical permits but may require licensed plumbers or electricians to conduct the inspection and provide a certificate of approval. The sewage disposal or septic system may need to be approved by either health or environment agencies, while hydro/electrical power suppliers may conduct inspections. These issues need to be addressed and incorporated into band bylaws.

Once issued, a building permit must be posted in a prominent place on the premises during the period of the project.

12.3 Importance of Permits

Some First Nations communities, large and small, are starting to introduce building permits. Band councils have authority over their lands and are executing this control in the building of their homes.

These communities want to ensure that all homes (band or privately funded) are built according to building-code requirements, to address the following challenges:

- safe accessibility for disabled and frail elderly persons
- excessive moisture and resulting mould
- shoddy construction
- inappropriate construction materials
- poor design and quality of foundations
- faulty wiring and plumbing
- hazardous wood stoves
- limited or no inspections
- homes that are built on flood plains or other areas where the soil/ground is unacceptable
- protection of their capital investment
- reduction in liabilities where band or tribal councils are responsible for the construction of homes in their communities
- housing standards and building practices appropriate to the geographic location of First Nations communities
- support for third-party financing
- development of strong housing policies for communities
- safety and health of their community members

It is important that the community plan has been developed and approved.

12.4 Required Bylaws to be Approved to Implement the AHJ

The council must pass three bylaws to give it the AHJ:

1. Building bylaws
2. Zoning bylaws
3. Survey bylaws

12.4.1 Building Bylaws

For councils to exercise their AHJ regarding the construction of buildings, a bylaw is required. The *Indian Act* or *First Nations Land Management Act* gives the council the power to pass the bylaw. A band council resolution is not recommended as it is an administrative declaration of the council with respect to a particular matter of a temporary character. It does not prescribe a permanent rule of the council.

Under building bylaws, the council can control the following areas:

- Property maintenance standards and the obligation to keep houses in good repair
- Occupancy standards
- Pest prevention (e.g., cockroaches, ants, termites)
- Fire safety and protection including fire-resistance ratings – these must comply with the National Building Code and the National Fire Code
- Thermal insulation – these must comply with the National Building Code and National Energy Code
- Building standards must comply with the National Building Code and National Fire Code
- Building standards for cottages
- Requirements for smoke and CO detectors

Bylaws can state that homes be built to the National Building Code or in accordance with provincial building codes. They can require stricter standards or construction practices if necessary. A building bylaw must be established in conjunction with an existing zoning bylaw so that the permit can state where the home can be built (e.g., specific location, lot).

12.4.2 Zoning Bylaws

Under zoning, the band council can control the following areas:

- Land use
- Location and boundaries of commercial, residential, industrial, institutional and conservation zones
- Cottage sites
- Protection of forests and other natural resources
- Campsites, including setting fees
- Requirement of building permits for building in specific zones

- Community Plan

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

Zoning is particularly important before homes are constructed. The band council must first divide the community into zones before the construction of any buildings or the carrying on of any type of business. The zoning bylaw is important as band councils can require building permits.

12.4.3 Survey Bylaws

Under land survey bylaws, the band council can control the following:

- Allotment of lands for a community centre, churches, schools, stores (subsection 18(2) of the *Act*)
- Allotment of lands to band members
- Land registry for Certificates of Possession and Certificates of Occupation

These bylaws are important to a building-permit system, as they clearly identify the home- and landowner. A “lands” officer may need to be consulted and involved in this process.

12.5 Examples of Bylaws

Excellent examples of councils passing bylaws on buildings and construction include:

1. Tsawwassen First Nations <https://tsawwassenfirstnation.com/governance-overview/laws/>
2. Westbank First Nation https://www.wfn.ca/docs/2005-14_wfn_building_law637351729051116852.pdf?LanguageID=EN-US

Tsawwassen First Nation and Westbank First Nation are highlighted as very good examples of bylaws for the following reasons:

1. Definitions of terms used in the bylaws are provided. This is very important because the definitions in the bylaws are well understood by the intended audience.
2. The bylaws refer to building permits. These communities have implemented a building permit system. (In many cases, the community has referred to building permits, but they have not actually implemented the administrative process).
3. Provisions are clearly stated, including obligations of the parties.
4. Various sections and subsections are used.
5. Enforcement and compliance mechanisms are provided.
6. Survey requirements.

When reviewing these bylaws, it is important to note that the more detailed the information, the better. It does not matter if a community has 300 or 3,000 members, more detail is better for everyone to help them understand the regulations within their community.

12.6 Bylaw Development Help

For more information on land-use planning, visit National Aboriginal Lands Managers Association (NALMA) at www.nalma.ca. NALMA has plenty of resources to help with land planning in your community. There are also professional land planners who have expertise working with First Nations to develop comprehensive plans or land-use plans.

Another excellent source of information is the Lands Advisory Board (www.labrc.com). They have the First Nations Land Management Resource Centre that has information on surveys and land management.

Prior to submitting a building permit application, it must comply with the community plan and zoning bylaws.

12.7 One Size Does Not Fit All Communities

One of the challenges facing many communities is that they only build one or two homes every few years, or they don't have the staff or the capacity to implement the AHJ.

However, *all* councils must pass the required laws to ensure they are carrying out their legal responsibilities for the construction of homes in their community. If they do not have the capacity, the council could make another party the AHJ through a contract. For instance, if the community is a member of a tribal council, they could give the council responsibility for the construction process (building permits, managing the contract).

Secondly, councils can hire a professional engineering firm to be the AHJ on their behalf. These two options are important to consider for those councils that do not build many homes or do not have the capacity.

14. Develop a Building Permit or Permission System

The objectives of a building permit are to maintain accountability over the quality of a building, and to ensure it is being built to minimum building codes, standards and specifications.

Many municipalities and towns have developed a building permit application system. It is best to review the municipality near your community as a template for a building permit application.

Appendix A gives an example of the City of Sarnia’s building permit application for new construction. It is important to focus on the detailed information required by the City to approve the building permit – similar information should be included in the First Nation’s building permit application.

The following steps are suggested to develop a building permit or permission system for First Nations.

13.1 Develop a Building Permit-Fees Schedule

The council must consider the collection of building permit fees to recover the full cost of services where it is determined that a service, product or the use of resources provide direct benefit to the individual or business, beyond those that accrue to the general public. It is important that the council’s housing department recover their costs for services and do not create a deficit.

Saskatchewan’s Building Standards and Licensing Branch has identified several methods to establish permit fees available for local authority. One or more methods of calculating permit fees may be used in a bylaw, although caution should be used to ensure that all types of buildings are included. Some examples of these methods are:

- rate per square metre of construction for one or more classes of building, i.e., “...\$XX per square metre of floor area for residential buildings...”
- rate per \$1000 value of construction for one or more classes of building, i.e., “...\$XX per each \$1000, or part thereof, of value of construction for assembly buildings...”
- flat rate (fixed fee) for one or more classes of building, i.e., “...\$XX for residential detached garages...”
- cost of plan review plus flat rate for each inspection visit, i.e., “...equal to the cost to the local authority for plan review plus \$XX per each inspection visit...”
- cost of plan review and inspection services, i.e., “equal to the cost to the local authority for plan review plus inspections...”
- any suitable variations.¹⁹

It is important that the total cost of processing permit applications, issuing building permits and inspecting the construction authorized by those permits be fully supported from the revenues generated by building permit fees. A sample fee structure can be found in Appendix A.

¹⁹ Saskatchewan (2019). *Building Standards Guide* promoting construction of safe, healthy, habitable buildings.

13.2 Develop Building Permit Policy and Procedure Manual

There are many examples of building permit policy and procedures. See the City of Ottawa: <https://ottawa.ca/en/planning-development-and-construction/building-and-renovating/building-permit-approval-process#section-dbc0e10e-35ed-40f5-9ffd-1936296031a2>

15. Implementation of a Building Permit or Permission System

The building permit or permission system should consist of eight stages.

14.1 Stage 1: Establish a Department Responsible for Permits

The building permit process is administered by a building department, with the possible assistance of other departments, such as those responsible for sewers and roads or fire safety. Permits are issued where submissions, including construction plans and specifications, conform to the provincial building code and include other applicable laws regulating construction and land use.

In many cases, building departments use a one-permit system. A permit includes all architectural/structural work, plumbing, water and heating, ventilating and air-conditioning work. The one-permit system leads to more administrative efficiency.

However, in some jurisdictions, hydro/electrical may need to be issued by the electrical or hydro company. This information should be included in any information package provided to the applicant.

The community may also want to issue a permit for other activities including:

1. a plumbing permit to install any plumbing, gas or drainage-piping work, any fixture or water heating or to alter, repair or replace any treatment equipment, unless specifically exempted by the plumbing codes
2. an electrical permit to install any electrical system or alter, repair, replace or remodel, unless specifically exempted by the electric codes
3. a permit to install a septic system for a single residential home
4. a demolition permit to take down a building.

Band bylaws will need to include the type of permits to be issued.

14.2 Stage 2: Pre-Application

Owners/builders intending to construct building structures other than one- and two-family residences should hold preliminary discussions with the department responsible for issuing a building permit. A meeting before the application process will clarify any concerns with respect to the design of the building, location or other matters as they relate to the applicable bylaws

and policies of the community. It is important for owners/builders to consult with staff to obtain estimates of building permit fees and other levies that will have to be paid prior to issuance of a building permit.

15.3 Stage 3: Application for a Building Permit

The process begins with an application for a building permit. The application package will be made available at the department responsible for building permits. The application is submitted by the potential homeowner or contractor. The application may require some of the following information:

- Address and legal description of property
- Full legal name and address of owner, designer and contractor
- Site data as indicated on the application form
- Declaration and signature with phone number
- New Home Warranty program number, if applicable
- Whether the proposed building is a repeat design

The applicant can submit for a “repeat” building permit. This is where the house model being built is the same as the original application and plan(s). On repeat plans, the department can make decisions more quickly, provided that the previous corrections and notes are incorporated in the drawings.

As part of the application, several documents must be provided:

- site plan, including lot grading (important where a sanitary sewerage system is in place)
- architectural and structural drawings and specifications
- HVAC drawings and calculations
- a building permit fee in accordance with bylaw fee schedules

The applicant is required to pay the full permit fee as defined in the building permits bylaw and a fee schedule. Examples of fee schedules can be found in Appendix A at the end of the document. The fee schedule can be based on the construction value, which is reviewed by a plans examiner who confirms the reasonableness of the value. Any adjustment may result in additional permit fees to be paid prior to permit issuance or before an occupancy permit is provided.

Some band or tribal councils may introduce a “fast track” or express approval process. Where the applicant does not require a site-plan approval, building departments may charge an additional fee (e.g., a 50 per cent increase in the permit fee) to “fast track” and approve an application within three working days from the time of application. This option, however, is contingent on staff resources. Where construction is started without a building permit, the building department may levy a penalty charge (e.g., double the permit fee).

Once the application is submitted, it is initially reviewed to ensure that the design complies with the bylaw for issues such as lot coverage, setbacks and building height.

As part of the review for zoning, consideration is given to the following components:

- determine the complete zoning of the property
- review the site-specific zoning, if applicable
- review the residential zone's general provisions
- review the general provisions applicable to all zones

The application is then reviewed by an individual qualified/certified to review the plans. This work may be done internally or by a third party.

As part of the building-permit review, additional conditions may affect the building of the new home. These may include:

- occupancy restrictions for home-based businesses
- lot grading information
- approval of subdivision services
- access for fire-department vehicles
- tree-preservation report

Approval may also be required from other agencies, such as conservation authorities.

An example of a building permit application can be found in Appendix A.

15.4 Stage 4: Plans and Drawings Requirements

The applicant is required to submit plans, drawings and specifications to be reviewed and approved as part of the building-permit process. In the case of one- and two-unit dwellings, the designer of the plans doesn't always have to be a professional engineer or architect but should be deemed acceptable to the building-permit department as a designer capable of the project proposed. With more complex projects, such as those outside the scope of Part 9 of the National Building Code, the building permit process should require that a professional designer be involved.

Drawings are reviewed by a qualified/certified individual to verify compliance with health and life-safety provisions of the applicable building codes and other referenced standards. The applicant may need to submit several different plans and drawings.

Typically, these include:

- site plans, sometimes called lot-grade drawings, where sanitary sewerage systems are in place
- architectural/structural plans
- shop drawings

- heating, ventilating and air-conditioning plans

15.4.1 Site Plans

One type of plan that should be required is the site plan, which is normally used to determine compliance with the applicable zoning bylaw. A site plan identifies buildings and other features in relation to property boundaries. It must identify existing buildings, structures and features on the property, and the changes to the property created by the proposed project. The plan usually includes the following information:

- all setbacks, front, sides and rear (note special setbacks on corner lots or lots backing onto arterial roads)
- building elevations (to calculate the number of storeys)
- lot area and all lot dimensions
- lot coverage (total building area – footprint divided by lot area)
- parking area (including driveway width and coverage)
- easements, especially sewer easements
- type or design of dwelling (bungalow, split level)
- slopes related to surface drainage

Examples of site plans can be found in Appendix A.

15.4.2 Architectural/Structural Plans

Other required drawings are the architectural/structural plans. These usually consist of architectural working drawings that include:

- foundation/basement plans
- floor plans
- elevations
- sections and details
- specifications (e.g., general notes, site work, concrete, masonry, thermal- and moisture-protection measures)

Structural working drawings that include:

- foundation plan
- floor framing plans
- roof framing/ceiling framing plan
- beams, wood and brick lintel sizes (including calculations when building code tables are exceeded)
- details of connections, anchorage, framing

Where the type of building falls outside Part 9 of the National Building Code of Canada, the design should be undertaken by a professional architect or engineer. An example of residential construction drawings can be found in Appendix A.

15.4.3 Shop Drawings

The First Nations community may also want to review all the “shop drawings,” details and specifications with the application. These may include specifications for prefabricated fireplaces and stoves, designs for beams, prefabricated roof and floor truss-system design and layout plans. Shop drawings are usually included for customized homes.

15.4.4 Heating, Ventilating and Air-conditioning Plans

The applicant must also submit heating, ventilating and air-conditioning plan examination (HVAC) drawings for the home. This information includes:

- building heat loss/heat gain calculations
- duct-design calculations
- floor plan drawings indicating all supply and return duct work, complete with sizes
- ventilation system drawings
- location of all supply and return diffusers and grills, complete with sizes
- location and specification for all heating and cooling equipment, including make, model # and capacities
- mechanical ventilation

In homes where other than forced air is proposed for the heating system, (i.e., hot water, combo hot-water units, electric baseboard), the drawings must indicate location and capacity of all heating units and any interconnecting piping. In the case of combo heating units, an additional form or information may be required to ensure compliance with the provincial building code. An example of this type of drawing can be found in Appendix F.

Some drawings will require a structural certification to be provided by a Registered Professional Engineer, such as:

- roof truss design
- point load design on engineered wood products, including connection details
- reinforced concrete design, except for slabs less than 2 m (6'6") in width over "cold" rooms
- engineered components, connections and assemblies that exceed design criteria of Part 9 of the Code
- retaining walls with exposed height greater than 1 m (3'3") adjacent to public property, access to a building, or on property to which the public is admitted, i.e., row housing
- geotechnical certification for special soil conditions

These requirements should be stated in the band bylaws or housing policies. The band bylaw should also state the requirements for a Registered Professional Engineer.

15.5 Stage 5: Issuance of Building Permit

After approval of the building construction drawings and specifications, the building permit may be issued upon payment of the calculated permit fees, as well as the receipt of any permits, reports or covenants required. Some communities may want a pre-inspection before a building permit is issued relating to renovations or alterations of an existing building.

15.6 Stage 6: Required Building Inspections

To date, inspections on reserve relate to CMHC's Native Inspection Services Initiative (NISI). NISI was developed in 1995 to provide greater First Nations involvement in inspections for new construction and renovations funded through CMHC housing programs, such as the non-profit rental housing program and the Residential Rehabilitation Assistance Program (RRAP).

Under NISI, First Nations technical service providers undertake technical reviews (plans examination and inspections) under contract to CMHC.

While these technical reviews are not specifically for code compliance, they confirm to CMHC that the construction reasonably meets codes, standards and specifications, and provide an indication of percentage of completion for loan-advancing purposes.

NISI is also seen as a capacity-development initiative and an important step towards improving the quality of construction in First Nations communities.

Typically, up to six inspections are carried out under NISI. Communities implementing a building-permit process may want to adopt this process:

1. site inspection
2. ready for backfill
3. framing
4. ready for drywall
5. final

15.6.1 Progress Advance Inspection (Any Time During Construction Period)

In addition, other agencies and authorities are relied upon to ensure equipment and systems are safe and acceptable, such as electrical authority or master electricians for electrical installations, and Health Canada environmental health officers for private sewage disposal systems. Certificates from these authorities must be produced before final advance of funds.

Off-reserve, provincial building codes require several mandatory inspections during construction to ensure all work is done according to the permit drawings and the provincial building code.

The following items must be inspected for a typical residential unit. Several items may be inspected during one inspection visit/stage. Inspection stages can take place:

1. prior to backfill of storm and sanitary sewers or water services
2. prior to pouring concrete for footings (forms in place)
3. prior to backfill of foundations
4. prior to covering plumbing rough-in (including water systems)
5. prior to covering duct work for heating, ventilation, air-conditioning and air-contaminant removal systems (HVAC systems)
6. upon completion of structural framing
7. prior to covering in insulation and vapour barriers for all walls and ceilings of finished areas.
8. upon completion of interior finishes and HVAC equipment installation and all fire-protection systems
9. after all plumbing fixtures are in place (final air test)
10. as a final inspection upon completion of project

In some jurisdictions, eight inspections are required. For example, in Ontario the following inspections must take place:

1. excavation/footings, before footings are poured
2. foundation, prior to backfilling
3. framing
4. mechanical
5. duct work and pipes for heating and air-conditioning system
6. underground plumbing (test on)
7. rough-in plumbing (test on)
8. insulation/vapour barriers/fire protection
9. fireplace/wood stove
10. occupancy inspection, including plumbing smoke test
11. final exterior

For sewage systems, the following inspections are conducted:

- a. readiness to construct sewage system (base cut)
- b. final inspection of sewage system prior to backfill

In Alberta, the City of Calgary requires the following inspections²⁰:

²⁰ For more information see: *The City of Calgary Development and Building Approvals, Building Regulation Division SCO Handbook*, New Home Inspection Process. BR2005-71-4.2

15.6.2 Pre-Backfill Phase

This phase of construction includes the following inspection types:

- building footing and foundation
- electrical underground
- plumbing, sanitary and storm

15.6.3 Pre-Board Phase

(You must pass all inspections in the previous phase to continue to this phase.)

This phase of construction includes the following inspection types:

- framing
- basement developments (as required)
- wood-burning stove or fireplace (as required)
- gas rough-in
- gas fireplace (as required)
- plumbing rough-in
- electrical rough-in
- HVAC rough-in

15.6.4 Pre-Possession Phase

(You must have passed all inspections in the previous phase to continue to this phase.)

This phase of construction includes the following inspection types:

- building final
- plumbing final
- gas final
- electrical final
- HVAC final

The City of Calgary may also require other inspections, as required.

While inspection processes may vary, they incorporate all the essential components of an inspection under the building codes. Band bylaws should clearly state the types of inspections required.

15.7 Conducting Inspections

To carry out an inspection, the contractor or homeowner must contact the building department to request an inspector at least 24 hours before work proceeds from one inspection stage to the next. For rural and remote communities where access is difficult or is only by air or water, this lead time may be one week or more. When the building permit is issued, a list of required

inspections should be provided. If inspections are not performed, the contractor may have to uncover and expose the work for inspections.

Band bylaws need to clearly state how the community plans to enforce the bylaws where code infractions are found. To ensure effectiveness, it is important to consult with the Bylaw Advisory Group of the Band Governance and Indian Estates Directorate of the Department of Indian and Northern Affairs. As part of the development of bylaws, the community may want to provide the inspector with the power to issue various types of orders, such as stop-work orders and an order to comply.

All inspections should be completed by a qualified inspector who has been certified to carry out such inspections. For example, the inspector may be a member of FNNBOA and be certified to carry out specific inspections.

Upon completion of the final inspections, and where no outstanding concerns remain, the building department will issue an occupancy permit or certificate.

Where the construction is semi-detached or row housing, additional inspections are required relating to fire separations between dwelling units. FNNBOA can provide further advice regarding mandatory inspections.

14.8 Stage 7: Occupancy Certificate or Permit for Occupancy

An occupancy certificate or permit will be issued upon completion of all requirements of the approved plans and specifications, building permit conditions, approval of related ancillary permits and approvals from other applicable agencies.

All outstanding fees due to the band/tribal council must be paid prior to issuance of an occupancy certificate or permit. In many cases, the building inspection record card or final inspection report must be submitted before a certificate can be issued.

In some cases, a temporary occupancy permit may be issued by the department or building inspector where minor corrections are noted at the final inspection. Temporary occupancy will not be approved for a building or portions of a building if outstanding life/safety requirements have not been mitigated in an approved manner.

Temporary occupancy also will not be approved if outstanding site issues create an environmental hazard, a drainage or erosion hazard and/or a traffic hazard. The occupant must make an application for the certificate of permit to occupy the home. The following is an example of an occupancy permit.

Occupancy Permit Sample Form 7.1

Anytown Municipality

OCCUPANCY PERMIT FORM

This permit is issued to certify that the property described below and any building thereon complies with the requirements of the _____ Zoning Ordinance and all conditions imposed thereunder, and is to be used and occupied by the owner listed below in conformance with all provisions of the _____ Zoning Ordinance

(permit holder)

(address)

(city, state, zip code)

(telephone, home and business)

PROPERTY OWNER'S NAME AND ADDRESS (if not the applicant)

_____ Phone (____) ____ - ____

CONSTRUCTION SITE ADDRESS _____

PROPERTY DESCRIPTION _____

PARCEL DATA PROCESS (tax) NUMBER _____

ZONING PERMIT NUMBER: _____

Signed: _____
Date: _____

Anytown Zoning Administrator
412 Main Street
Anytown, Michigan 49638

14.9 Stage 8: Appeal Process

An appeal process should be included in any band bylaw. The appeal process may include the establishment of a special housing committee to hear any disputes in the building permit process, or appeals concerning comments on the plans review or deficiencies noted during the inspections.

Homeowners, builders and inspectors can initiate hearings with the housing department. A housing committee is also instrumental in ensuring limited interference from chief and council and allowing the inspection department to operate at arm's length from the political body.

Housing committees are typically made up of a representative from the council and community members and may include a representative from the tribal council's or provincial First Nations technical organization.

14.10 Summary

The eight stages of a building-permit system should be incorporated by all First Nations communities, regardless of size. Variations will be in the implementation of the building permit process rather than on limiting one stage of the process.

16. Record-Keeping

While it is important to establish a building or permission system for the community, the development of a records-management system is equally valuable. While many communities may already maintain some type of records-management system, the introduction of a building or permission system will result in an additional records-management system.

This may also be an opportunity for councils to establish an e-permitting system. FNNBOA is working in partnership with One Ontario (www.oneontario.ca) to develop an e-permitting system for Ontario.

Appendix A: Stop-Work Order Sample

Principal Authority/Registered Code Agency Identification

Name, Address, Telephone Number, Building Code Identification Number

Stop-Work Order

Pursuant to Subsection 14(1) of the Building Code Act, 1992

Order Number: (optional)

Date Order issued:

Address to which Order applies:

Application/Permit Number:

Order issued to (name and address):

1.

3.

2.

4.

The inspection on or about _____ (date) at the above-referenced address found the following contravention(s) of the *Building Code Act, 1992* or the Building Code have not been rectified as required by the Order(s) indicated below:

Order to Comply number _____, dated _____

Order Not to Cover number _____, dated _____

Order to Uncover number _____, dated _____

You are hereby ordered to immediately cease construction and/or demolition as specified below:

Item	Details

Order issued by:

Name

BCIN

Signature

Telephone number

Contact name

Contact tel. number

(optional)

(optional)

B. Note:

It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [*Building Code Act*, 1992 s. 20]

An Order may be appealed to the Superior Court of Justice. [*Building Code Act*, 1992 s. 25]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [*Building Code Act*, 1992 s. 24]

Failure to comply with this Order is an offence which could result in a fine. [*Building Code Act*, 1992 s. 36]

When a Stop-Work Order is issued, no person shall perform any act in the construction or demolition of the building in respect of which the Order is made other than work necessary to carry out an Order to Comply, the Order Not to Cover, or an Order to Uncover. [*Building Code Act*, 1992 s. 14]

Appendix B: Sample – Order to Comply

Principal Authority/Registered Code Agency Identification
Name, Address, Telephone No, Building Code Identification Number

Order to Comply

Pursuant to Subsection 12(2) of the Building Code Act, 1992

Order Number: (optional)

Date Order issued:

Address to which Order applies:

Application/Permit Number:

Order issued to (name and address):

1.

3.

2.

4.

The inspection on or about _____ (date) at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below immediately, by the dates listed below, or by _____ (date).

Item	Reference	Description and location	Required action and compliance date

Order issued by:

Name _____

BCIN

Signature _____

Telephone number

Contact name (optional) _____

Contact tel. number
(optional) _____

Note:

It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [*Building Code Act, 1992 s. 20*]

An Order may be appealed to the Superior Court of Justice. [*Building Code Act, 1992 s. 25*]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [*Building Code Act, 1992 s. 24*]

Failure to comply with this Order could result in a Stop-Work Order. [*Building Code Act, 1992 s. 14*]

Failure to comply with this Order is an offence which could result in a fine. [*Building Code Act, 1992 s.36*]

No construction affected by this Order is to be covered until inspected and approved. [*Building Code Act, 1992 s.13*]

Appendix C: Sarnia Building Permit Application



City of Sarnia
Building Department
255 Christina St N, Sarnia, ON N7T 7N2
519-332-0330 x 3301
building@sarnia.ca

New Single-Family Dwelling - Application Submission Checklist:

- 1. Development Review Form: New Single-Family Dwellings**
Form regarding Applicable Law and other approvals related to Single Family Dwellings.
- 2. Permit to Construct or Demolish Application Form**
A standardized application form prescribed by the Ministry of Municipal Affairs and Housing.
- 3. Schedule 1: Designer Information Form**
This form is to be completed by the Designer. Drawings must be prepared by person(s) qualified under the Ontario Building Code (O.B.C.). In most cases this is a Designer with the appropriate B.C.I.N. ([building code identification number](#)) certification. A separate Schedule 1 is required for other designers, including HVAC designer (see below)
- 4. Schedule 2: Plumbing Form**
Indicate the number of plumbing fixtures, laterals, catch basins etc.
Sewage System Permits (Septic): [Sewage System Permit Applications](#) can be submitted with the building permit application and will be forwarded to the Lambton County Building Services Department for review. If a Septic Permit has already been issued, attach copies of Septic Permit to application. Contact Lambton County Building Services for more information: 519-845-5420
- 5. Energy Efficiency Design Summary**
Designer shall complete an Energy Efficiency Design Summary form, either Prescriptive OR Performance Method (EnerGuide, ENERGY STAR or R2000, etc.). Note: If a Performance Method is provided, a BOP (Builder's Option Package) form is required to be submitted.
- 6. Site Plan and Construction Plans**
Drawings must be legible and drawn to scale, and clearly dimensioned in either metric or imperial. Drawings **must** include: Municipal Address, **Designers Name, signature and qualification (e.g. BCIN)**, date of drawing, scale, dimensions, clear identification of new construction, total area of work. Drawings shall include, but are not limited to: Foundation Plan, Floor Plans, Roof Plan, Elevations complete with Spatial Separation Calculations (where required), Wall Sections and Details, and Engineer Designs where applicable.
- 7. Heating, Ventilation and Cooling**
Heat Loss/Heat Gain Calculations, Duct Design Calculations and Layout, Residential Mechanical Ventilation Design Summary and Schedule 1: Designer Information form are required. Ensure the Mechanical layout is consistent with the Architectural Floor Plans. (All submissions must be provided by a designer with B.C.I.N. certification and HVAC House Qualifications, or Engineer.)
- 8. Lot Grading Plan**
Lot grading plans shall be prepared by an Ontario Land Surveyor or Professional Engineer of Ontario. Any rural lot outside the urban growth boundary as described in the Official Plan with a frontage greater than 50 meters (165 feet) and area of lot greater than 0.8 hectares (2.0 acres) a lot grading plan will not be required.
- 9. Additional Approvals**
Planning Approvals such as Minor Variance or Zoning approvals, if required.
Conservation Authority Approvals, and/or other applicable law (see Development Review Form)

Electrical Safety Authority: Doing electrical work? A notification must be filed with the [Electrical Safety Authority](#). Hiring someone to do Electrical work? They must be a Licensed Electrical Contractor. For more information, go to esasafe.com or call 1-877-372-7233

Locates – Call or click before you Dig

If you are digging on your property of residence, which you rent or own, request a locate through [Ontario One Call](#) 1-800-OneCall (1-800-400-2255)



DEVELOPMENT REVIEW FORM: NEW SINGLE-FAMILY DWELLING

Sections outlined below deal with **Applicable Law** as outlined in section 1.1.3.3. of the OBC, and the Municipal Building By-law as per section 7 of the BCA. **Prior to the acceptance of the building permit application, all sections must be fully completed, and all approvals obtained by the appropriate authorities.** This form is only a guideline development for new Single-Family Dwellings in our area, additional approvals may be required for larger and more complex projects.

Full address of project:

Building Number:	Street Name:	Unit Number	Lot/con.
A) Zoning Compliance: To obtain property zoning, contact the City of Sarnia Planning Department at 519-332-0330 or planning@sarnia.ca .			
Property Zoning	Total Floor Area (Includes Finished Floor Area, Unfinished Floor Area and Attached Garages)		
Building Size Width	Length	Height	Building Area
Lot Size Frontage	Depth	Lot Area	Lot Coverage %
Required Setbacks Side Yard	Side Yard	Front Yard	Rear Yard
Provided Setbacks Side Yard	Side Yard	Front Yard	Rear Yard

All setbacks must be indicated on the site plan and are required to conform to the City of Sarnia Zoning-bylaw.

Were Minor Variance Approvals required for this application?

Yes No

If yes, attach copies of approvals. File number: _____

B) Tarion Warranty Corporation, (Ontario New Home Warranty Program)

All builders and vendors of new homes must hold a valid license with the HCRA (Home Construction Regulatory Authority). The **TARION** registration number for a Builder must be provided on the Application to Construct (Section F.) A person planning to build their own home may be an owner-builder and may not need to be licensed as a builder provided that they do not sell the home once they have completed construction. Please contact the HCRA, or visit their [website](#), with any questions regarding TARION and HCRA licensing.

I am the **owner** of this property, and I intend to act as the **owner-builder**, as defined by the HCRA. I have reviewed and understand the TARION/HCRA requirements.

Owner Signature: _____ Date: _____

or

This house will be constructed by a **Builder**, as defined by the HCRA, and their Tarion information has been provided on the Application to Construct form.

C) Minimum Distance Separation (from Agricultural)

Minimum Distance Separation is used to determine **setback distances** between livestock barns, manure storages or anaerobic digesters and surrounding land uses. The objective of MDS is to minimize land use conflicts and nuisance complaints related to odour

Are there any structures capable of housing livestock within 1000m (3280 ft) of this proposed structure?

Yes No

D) Conservation Authority

Is the proposed development within a flood, erosion or dynamic beaches controlled area? Yes No

[Map your property](#), St. Clair Region Conservation Authority: 519-245-3710

If yes, the proposed construction requires Conservation Authority review.

E) Septic

Does the development require the installation of a new septic system? Yes No

If yes, attach copies of Septic Permit Application or provide **Septic Permit number**: _____

Questions regarding septic systems can be directed to County of Lambton Building Services Department: 519-845-5420. Location of septic system must be indicated on site plan.

F) Access Permit

Does the development require access to a new County Road? Yes No

Does the development require access approval for MTO? Yes No

If yes, please provide letter of approval from MTO.

Does the development require new access onto a Municipal Road? Yes No

If yes, please provide plans as outlined in section "I" for approval from City Engineer.

G) Service Connection

Does the development require connection to municipal services? Yes No

If yes, please provide plans as outlined in section "I" for approval from City Engineer.

Specify Water Meter Size:

3/4" 1" 1 1/2" 2" other: _____

H) Easements

Are there any Easements or Right-of-Ways located on the property? Yes No

If yes, please indicate on the site plan.

I) Plans and Specifications Information

Should applicant be required to submit multiple drawings all information can be supplied on one set of drawings containing all required information. Drawings are required to be to scale, legible and include:

- **Zoning Compliance.** Site plan showing lot lines and dimensions, new and existing building sizes and locations, building height, building setbacks, street names, municipal address and north arrow, reference to legal survey or note stating survey stakes located and confirmed on site.
- **Lot Grading.** Site plan showing lot lines and dimensions, new and existing building sizes and locations, building setbacks, location of paved surfaces, street names, municipal address and north arrow, location of septic field, reference to legal survey or note stating survey stakes located and confirmed on site, (geodetic elevations) and drainage arrows. Lot grading plans must bear the signature and seal of a Professional Engineer or Ontario Land Survey.
- **Access Permit.** Site Plan showing lot lines and dimensions, drive way location and width.
- **Service Permit.** Site Plan showing lot lines and dimensions, building setbacks, street names, municipal address and north arrow, location of service lines, location of driveways and sidewalks.

J) Declaration of Applicant

I, _____ certify that:
(Print name)

1. The information contained in this application, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. As the Owner/contractor I take responsibility to ensure compliance to all federal, provincial and municipal legislation and or regulations prior to, during and after construction. I will not hold The City of Sarnia or its employees liable for any actions by myself resulting in; non issuance of a permit, revoking of a permit, civil action and or possible fine.
3. I have authority to bind the corporation or partnership (if applicable).

(Date)

(Signature of Applicant)

Personal information contained in this form and schedules is collected under the authority of section 7 subsections 8(2) of the Building Code Act, and will be used in the administration and enforcement of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality to which this application is being made.

City of Sarnia Building Department: 510-332-0330 x 3301

building@sarnia.ca

FNHPA Guide – Implementing the Authority Having Jurisdiction (AHJ) in First Nation Communities for Buildings



CORPORATION OF THE CITY OF SARINIA
 P.O. Box 3018 Sarnia, ON N7T 7N2
 Telephone: (519)332-0330, Ext 3301
 Fax: (519)332-0776

Application for a Permit to Construct or Demolish
This form is authorized under subsection 8(1.1) of the Building Code Act

For use by Principal Authority			
Application number:		Permit number (if different):	
Date received:		Roll number:	
Application submitted to: _____ <small>(Name of municipality, upper-tier municipality, board of health or commission authority)</small>			
A. Project information			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
Project value est. \$		Area of work (m ²)	
B. Purpose of application			
<input type="checkbox"/> New construction <input type="checkbox"/> Addition to an existing building <input type="checkbox"/> Alteration/repair <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit			
Proposed use of building		Current use of building	
Description of proposed work			
C. Applicant			
Applicant is:		<input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner	
Last name		First name	Corporation or partnership
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	
D. Owner (if different from applicant)			
<small>*This section MUST be filled in prior resubmission. Applications will not be processed without this information.</small>			
Last name		First name	Corporation or partnership
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	

Application for a Permit to Construct or Demolish – Effective January 1, 2011

FNHPA Guide – Implementing the Authority Having Jurisdiction (AHJ) in First Nation Communities for Buildings

E. Builder (optional)				
Last name		First name	Corporation or partnership (if applicable)	
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number	Fax		Cell number	
F. Tarion Warranty Corporation (Ontario New Home Warranty Program)				
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii. If yes to (ii) provide registration number(s): _____				
G. Required Schedules				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.				
H. Completeness and compliance with applicable law				
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iv) The proposed building, construction or demolition will not contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
I. Declaration of applicant				
I _____ declare that: (print name)				
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.				
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.				
Date		Signature of applicant		

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

Application for a Permit to Construct or Demolish – Effective January 1, 2011

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name		Unit no.	Lot/con.
Municipality	Postal code	Plan number/ other description	
B. Individual who reviews and takes responsibility for design activities			
Name Firm			
Street address		Unit no.	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax number		Cell number
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
D. Declaration of Designer			
I _____ declare that (choose one as appropriate):			
(print name)			
<input type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: _____ Firm BCIN: _____			
<input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code. Individual BCIN: _____ Basis for exemption from registration: _____			
<input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge. 2. I have submitted this application with the knowledge and consent of the firm.			
Date		Signature of Designer	

NOTE:

- For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) d), of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
- Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of authorization, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

FNHPA Guide – Implementing the Authority Having Jurisdiction (AHJ) in First Nation Communities for Buildings

Questions or Concerns - Please Contact:
 County of Lambton - Plumbing Inspection Dept.
 Telephone: (519) 845-0801

SCHEDULE '2'

Plumbing Information

Owner Name:	Address of Proposed Work:
Plumber:	Municipality:

Please list the numer of fixtures per floor on the following chart.

FLOOR	Basement	1	2	3	4	Total Number	X	Fixture Units	Total Fixture Units
Water closet							X	4	
Bath tub							X	1.5	
Wash basin							X	1.5	
Kitchen sink							X	1.5	
Launcry tubs							X	1.5	
Floor drain							X	2	
Showers							X	1.5	
Urinal							X	1.5	
Clothes washer							X	1.5	
Dish washer – domestic							X	.5	
Other sinks							X	1.5	
Drinking fountain							X	.5	
Hot water heater							X		
Sewage Pump							X		
Grease Interceptor							X		
Other fixtures							X		
TOTAL							Total Fixture Unit Count		

No. of Dwelling Units	R.W.L.	Water Lines
Soil Vent Stacks	Sanitary Lateral	Oil Interceptor
Catch Basin	Storm Lateral	Backflow Preventor
Lawn Sprinkler System		

Signature

Date

Energy Efficiency Design Summary: Prescriptive Method
(Building Code Part 9, Residential)

This form is used by a designer to demonstrate that the energy efficiency design of a house complies with the building code using the prescriptive method described in Subsection 3.1.1. of SB-12. This form is applicable where the ratio of gross area of windows/sidelights/skylights/glazing in doors and sliding glass doors to the gross area of peripheral walls is not more than 22%.

For use by Principal Authority			
Application No:		Model/Certification Number	
A. Project Information			
Building number, street name		Unit number	Lot/Con
Municipality	Postal code	Reg. Plan number / other description	

B. Prescriptive Compliance [indicate the building code compliance package being employed in this house design]

SB-12 Prescriptive (input design package): Package: _____ Table: _____

C. Project Design Conditions

Climatic Zone (SB-1):	Heating Equipment Efficiency	Space Heating Fuel Source
<input type="checkbox"/> Zone 1 (< 5000 degree days)	<input type="checkbox"/> ≥ 92% AFUE	<input type="checkbox"/> Gas <input type="checkbox"/> Propane <input type="checkbox"/> Solid Fuel
<input type="checkbox"/> Zone 2 (≥ 5000 degree days)	<input type="checkbox"/> ≥ 84% < 92% AFUE	<input type="checkbox"/> Oil <input type="checkbox"/> Electric <input type="checkbox"/> Earth Energy
Ratio of Windows, Skylights & Glass (W, S & G) to Wall Area	Other Building Characteristics	
Area of walls = _____ m ² or _____ ft ²	W, S & G % = _____	<input type="checkbox"/> Log/Post&Beam <input type="checkbox"/> ICF Above Grade <input type="checkbox"/> ICF Basement
Area of W, S & G = _____ m ² or _____ ft ²		<input type="checkbox"/> Slab-on-ground <input type="checkbox"/> Walkout Basement
Utilize window averaging: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Air Conditioning <input type="checkbox"/> Combo Unit
		<input type="checkbox"/> Air Sourced Heat Pump (ASHP)
		<input type="checkbox"/> Ground Sourced Heat Pump (GSHP)

D. Building Specifications [provide values and ratings of the energy efficiency components proposed]

Energy Efficiency Substitutions			
<input type="checkbox"/> ICF (3.1.1.2.(5) & (6) / 3.1.1.3.(5) & (6))			
<input type="checkbox"/> Combined space heating and domestic water heating systems (3.1.1.2.(7) / 3.1.1.3.(7))			
<input type="checkbox"/> Airtightness substitution(s) Airtightness test required (Refer to Design Guide Attached)	<input type="checkbox"/> Table 3.1.1.4.B Required: _____ Permitted Substitution: _____		
	<input type="checkbox"/> Table 3.1.1.4.C Required: _____ Permitted Substitution: _____		
Required: _____		Permitted Substitution: _____	
Building Component	Minimum RSI / R values or Maximum U-Value ⁽¹⁾	Building Component	Efficiency Ratings
Thermal Insulation	Nominal Effective	Windows & Doors Provide U-Value ⁽¹⁾ or ER rating	
Ceiling with Attic Space		Windows/Sliding Glass Doors	
Ceiling without Attic Space		Skylights/Glazed Roofs	
Exposed Floor		Mechanicals	
Walls Above Grade		Heating Equip.(AFUE)	
Basement Walls		HRV Efficiency (SRE% at 0°C)	
Slab (all >600mm below grade)		DHW Heater (EF)	
Slab (edge only ≤600mm below grade)		DWHR (CSA B55.1 (min. 42% efficiency))	#
Slab (all ≤600mm below grade, or heated)		Combined Heating System	

(1) U value to be provided in either W/(m²·K) or Btu/(h·ft²·F) but not both.

E. Designer(s) [name(s) & BCIN(s), if applicable, of person(s) providing information herein to substantiate that design meets the building code]

Qualified Designer Declaration of designer to have reviewed and take responsibility for the design work.		
Name	BCIN	Signature

Form authorized by OHBA, OBOA, LMCOB, Revised December 1, 2016.

Application for a Permit to Construct or Demolish – Effective January 1, 2017

Guide to the Prescriptive Energy Efficiency Design Summary Form

This form must accurately reflect the information contained on the drawings and specifications being submitted. Refer to Supplementary Standard SB-12 for details about building code compliance requirements. Further information about energy efficiency requirements for new buildings is available from the provincial building code website or the municipal building department.

The building code permits a house designer to use one of four energy efficiency compliance options:

1. Comply with the *SB-12 Prescriptive* design tables (this form is for this option (Option 1)),
2. Use the *SB-12 Performance* compliance method, and model the design against the prescriptive standards,
3. Design to *Energy Star*, or
4. Design to *R2000* standards.

COMPLETING THE FORM

B. Compliance Options

Indicate the compliance option being used.

- *SB-12 Prescriptive* requires that the building conforms to a package of thermal insulation, window and mechanical system efficiency requirements set out in Subsection 3.1.1. of SB-12. Energy efficiency design modeling and testing of the building is not required under this option. Certain substitutions are permitted. In which case, the applicable airtightness targets in Table 3.1.1.4.A must be met.

C. Project Design Conditions

Climatic Zone: The number of degree days for Ontario cities is contained in Supplementary Standard SB-1
Windows, Skylights and Glass Doors: If the ratio of the total gross area of windows, sidelights, skylights, glazing in doors and sliding glass doors to the total gross area of walls is more than 17%, higher efficiency glazing is required. If the ratio is more than 22%, the *SB-12 Prescriptive* option may not be used. The total area is the sum of all the structural rough openings. Some exceptions apply. Refer to 3.1.1.1. of SB-12 for further details.
Fuel Source and Heating Equipment Efficiency: The fuel source and efficiency of the proposed heating equipment must be specified in order to determine which *SB-12 Prescriptive* compliance package table applies.
Other Building Conditions: These construction conditions affect *SB-12 Prescriptive* compliance requirements.

D. Building Specifications

Thermal Insulation: Indicate the RSI or R-value being proposed where they apply to the house design. Under the *SB-12 Prescriptive* option, alternative ICF wall insulation is permitted in certain conditions where other design elements meet higher standards. Refer to SB-12 for further details. Where effective insulation values are being used, the Authority Having Jurisdiction may require supporting documentation.

BUILDING CODE REQUIREMENTS FOR AIRTIGHTNESS IN NEW HOUSES

All houses must comply with increased air barrier requirements in the building code. Notice of air barrier completion must be provided and an inspection conducted prior to it being covered.

The air leakage rates in Table 3.1.1.4.A are not requirements. This provision is a voluntary provision for when credits for airtightness are claimed. Credit for air tightness allows the designer to substitute the requirements of compliance packages as set out in Table 3.1.1.4.B or 3.1.1.4.C. Neither the air leakage test nor compliance with airtightness targets given in Table 3.1.1.4.A are required, unless credit for airtightness is claimed. Table 3.1.1.4.A provides airtightness targets in three different metrics; ACH, NLA, NLR. Any one of them can be used. OBC Reference Default Air Leakage Rates (Table 3.1.1.4.A)

Building Type	Airtightness Targets				
	ACH @ 50 Pa	NLA @ 10 Pa		NLR @ 50 Pa	
Detached dwelling	2.5	1.26 cm ² /m ²	1.81 in ² /100ft ²	0.93 L/s/m ²	0.18 cfm50/ft ²
Attached dwelling	3.0	2.12 cm ² /m ²	3.06 in ² /100ft ²	1.32 L/s/m ²	0.26 cfm50/ft ²

The building code requires that a blower door test be conducted to verify the air tightness of the house during construction if the *SB-12 Prescriptive* option with airtightness credit being applied. Results of the airtightness test may need to be submitted to the Authority Having Jurisdiction. Airtightness of less than 2.5 ACH @ 50 Pa (or NLA or NLR equivalent) in the case of detached houses, or 3.0 ACH @ 50 Pa (or NLA or NLR equivalent) in the case of attached houses is necessary to meet the required energy efficiency standard.

E. House Designer

The building code requires designers providing information about whether a building complies with the building code to have a BCIN. Exemptions apply to architects, engineers and owners designing their own house.

Form authorized by OHBA, OBOA, LMCOB. Revised November 30, 2016.



City of Sarnia
Building Department
255 Christina St N, Sarnia, ON N7T 7N2
519-332-0330 x 3301
building@sarnia.ca

Permit Process Guide

Submitting a Complete Application

An application is considered "complete" where the proposed construction conforms with all **Applicable Laws**, includes the required Application Forms, and the required Construction Plans as outlined in the City of Sarnia Building By-law. Refer to the Submission Checklist attached.

Applications can be submitted electronically by e-mailing the documents to building@sarnia.ca. Alternatively, documents can be dropped off at the City Hall drop box, located near the South facing, Christina St. entrance.

Complete Applications, Review Timelines and Building Permit Issuance

Applicants will be notified if the application submitted is **not** considered a "complete application" and will be provided with a list of the outstanding approvals/documents. The review timeline will **not** apply to in-complete applications. Applications that are deemed a "**complete application**" will be reviewed and will be issued or refused within **10 Business Days** for a House, Accessory Building, Deck, Tent or Sign. A time frame of **15 days** applies to other Small Buildings, Residential Secondary Unit's, and Farm Buildings less than 600 Sq M. If the application is refused, the applicant will be contacted and provided with all reasons why the application has been refused. The application is circulated to multiple departments, and comments may be received separately. The applicant can then address all outstanding items, make necessary modifications, or obtain missing information, and submit them to building@sarnia.ca for review.

If the application is not acceptable due to zoning non-compliance, the applicant can either apply to the Committee of Adjustment for a Minor Variance to zoning requirements or apply for a Zoning Amendment (rezoning). These applications should be submitted to the Planning Department at planning@sarnia.ca. If the application is approved, the applicant will be contacted regarding [permit fees](#), [development charges](#), payment methods, and a permit will be issued. The Building Permit must be posted on the project site in a location visible from the street.

Inspections

After the Building Permit has been issued, and the payment has been made, the applicant will be provided with the Approved Drawings, Building Permit and Required Inspections list. Construction may only begin once a Building Permit has been issued.

All construction must conform the Ontario Building Code and the approved drawings. The approved drawings may contain key notes/changes from the Plans Examiner.

It is the Permit Holder's responsibility to call and request inspections at the various stages listed on the Required Inspections sheet **PRIOR** to continuing construction and Final inspection after all work is complete. The inspection request must be made, allowing 48 hours advance notice, excluding weekends and statutory holidays.

Changes/Revisions to the Approved Drawings, must be submitted for re-review through revised drawings. Revised drawings and related information must be submitted to building@sarnia.ca, noting the building permit number. Construction related to the revisions **cannot continue** until the revisions have been **approved**, and any additional fees have been paid.

When all work and required inspections have been completed, and the conditions of the Minor Variance have been completed (if applicable), the building permit will be closed. An open building permit is an order against the property and may cause a problem when selling the property or during a re-financing process.

Appendix D: Example of Fee Structure - Tk'emlúps te Secwepemc:

KAMLOOPS INDIAN BAND

SCHEDULE "A" - SCALE OF FEES

For calculating the fee for permits under this bylaw, the value of construction shall be the total contract price for the work, including all subcontracts, or the value of construction as determined by the building inspector on the basis of plans, specifications and information available, whichever value shall be greater.

Amounts of permit fees shall be in accordance with the following scale:

1. Building

(a) Value of construction \$1,000 or less non-refundable \$50

(b) \$50 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$1,000 up to a maximum value of \$25,000 as additional fees \$6.

(c) \$194 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$25,000 up to a maximum value of \$100,000 as additional fees \$5

(d) \$569 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$100,000 up to a maximum value of \$500,000 as additional fees \$4.50.

(e) \$2,369 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$500,000 as additional fee \$4.

2. Demolition and Relocation

The fee for a permit to demolish or move a building:

(a) For buildings less than 100 m² (1,080 sq.ft.) in area \$50

(b) For buildings over 100 m² in area per each 100 m² or portion

thereof:

(i) First 100 m² \$50

(ii) Each additional 100 m² or portion thereof \$20

In the event that a building is to be moved to a location within the boundaries of the Kamloops Indian Band, the fees payable shall be the fee required for the moving permit plus the fee for a building permit based on the value of construction required to rehabilitate the said building in its new location, as determined by the building inspector.

3. Special Inspection

For the special inspection of any building to determine whether it complies with the provisions of this bylaw: \$50

4. Renewal Permit

In the event that a renewal permit is require for construction that has not reached final completion within the time limit set out in this bylaw, the fee for such renewal permit shall be the greater of \$500 or twenty (20) per cent of the original building permit fee.

5. Temporary Building

For a permit to construct, place or occupy a Temporary Building for one (1) year or part thereof \$125.

6. Siting Permit

For a permit to construct or locate a storage building not exceeding 10 m² (108 sq. ft.) in building area \$20.

7. Solid Fuel Appliances

The fee for a permit to install a wood stove, insert or other solid fuel appliance, per appliance \$50.

8. Plumbing

- (a) Minimum fee for any plumbing permit or first fixture \$30.
- (b) Permit fee for each fixture after the first fixture \$6.
- (c) Permit fee for an interceptor or catch basin, each \$10.
- (d) Fee for a preliminary inspection related to plumbing, each \$25.
- (e) Single- and two-family dwellings,
 - (i) Water service inspection fee per unit \$30.
 - (ii) Sewer service inspection fee per unit \$30.
 - (iii) Combined water and sewer service inspection fee per unit \$40.
- (f) Water service inspection fee, except single- and two-family dwellings
 - (i) First 15 m (49.2 ft.) or part thereof \$20.
 - (ii) Each additional 15 m (49.2 ft.) or part thereof \$16.
- (g) Sanitary sewer service inspection fee, except single- and two-family dwellings.
 - (i) First 15 m (49.2 ft.) or part thereof \$20.
 - (ii) Each additional 15 m (49.2 ft.) or part hereof \$16.
- (h) Permit fee for the alteration of a plumbing system where no additional fixtures are to be installed, each \$10.
- (i) Permit fee for the connection to the band water service of any hydraulic equipment, each \$25.
- (j) Permit fee for the installation of a vacuum breaker or approved double-check valve assembly in any plumbing system, each \$6.
- (k) Permit fee for each sprinkler system, a base fee up to the first 25 sprinkler heads \$30. Each additional sprinkler head above the first 25 \$0.75.
- (l) Permit fee for each storm or rainwater catch basin, \$20.

(m) Permit fee for each fire hydrant, \$25.

(n) Permit fee for storm or rainwater piping:

First 15 m (49.2 ft.), \$20.

Each additional 15 m (49.2ft.) \$16.

9. Re-inspection Fee

Where any re-inspection carried out pursuant to this bylaw discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each such subsequent inspection shall be \$25.

10. Double Permit Fee

Where work for which a permit is required by this bylaw has been commenced prior to issuance of a building permit, the applicant shall pay to the band double the fee prescribed in Schedule "A," provided, however, that the additional fee shall not exceed \$1,000.

11. Value of Work

The building inspector may, for the purpose of determining permit fees, place a value on the work to be carried out where no cost estimate is available or he is not satisfied with the value submitted with the permit application.

12. Permit Fee Refund

Where no construction has commenced within six (6) months of building permit issuance, should the permit holder apply in writing to cancel the permit and present the original receipt, the Building Inspector may refund the permit fee less the greater of \$50 or fifty (50) per cent of such fee paid in respect to the building permit.

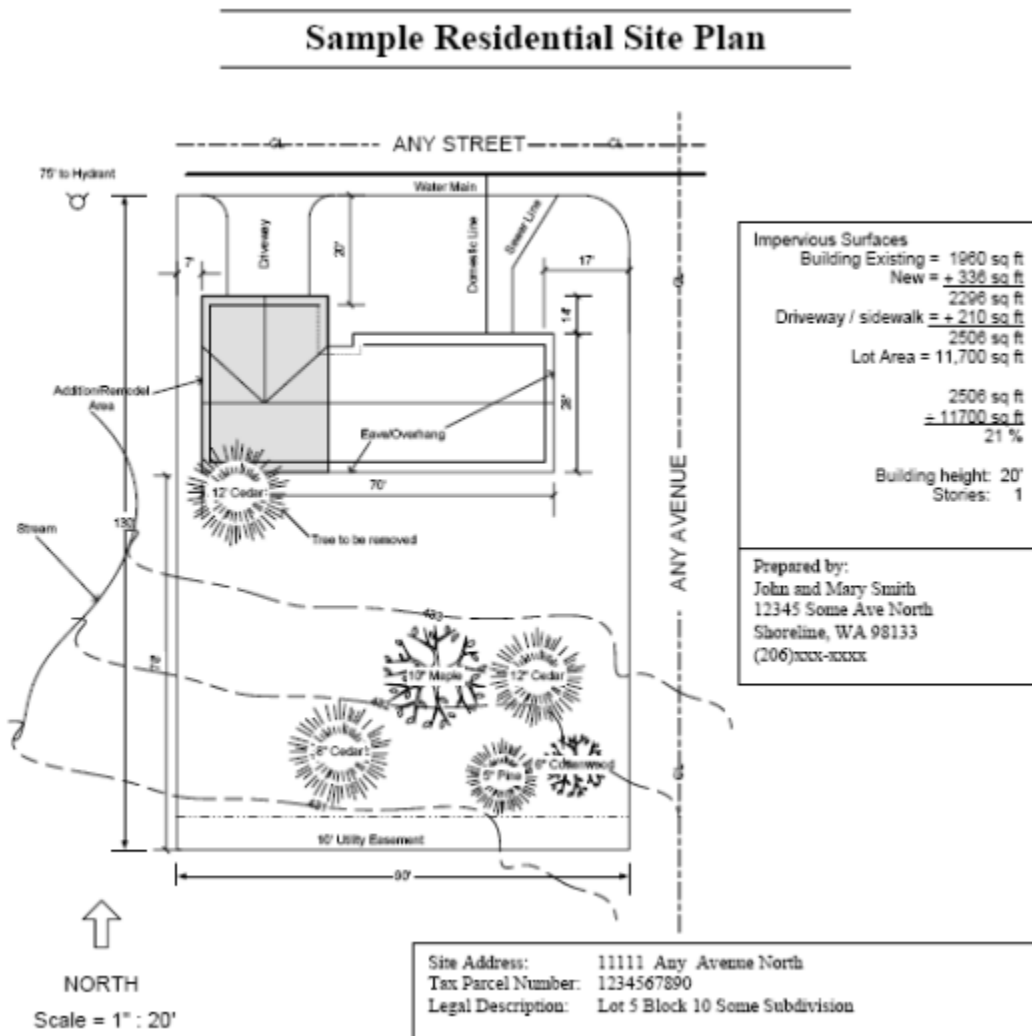
13. Fee Reduction for Professional Supervision

Where a professional engineer or architect is retained by the owner and an undertaking is provided to coordinate the design and field review of the project, the building fee will be reduced by five (5) per cent to a maximum reduction of \$1,000 for any one property to

reflect the cost of the work that would otherwise be carried out by Kamloops Indian Band Building Inspection staff.

Source: By Law Enforcement, Kamloops Indian Band

Appendix E: Sample Residential Site Plan



Site Plan Checklist

4 copies (2 reduced copies (maximum legal size) and 2 full size copies) drawn to engineering scale 1"=20'

- Name, address, and phone number of the person who prepared the drawing
- Vicinity map showing sufficient detail to clearly locate the project in relation to arterial streets, natural features/landmarks and municipal boundaries
- Graphic scale and north arrow
- Location, identification and dimension of all proposed, existing, and demolished buildings and their uses, projections, roof overhangs, covered breezeways, streets, alleys, rockeries, retaining walls, and fences. Note height
- Dimensions of all property lines
- Building setbacks for front, side, and rear property lines which are on or adjacent to the property, including utility, drainage, access, open space.
- Include the King County Auditor recording number for existing easements.
- Parking layout, include all walkways
- Impervious surface calculations as a percentage of the site area and square feet for buildings and pavement.
- Frontage improvements for curb, gutter, sidewalk, access drive, and street trees (Note: Frontage improvements or a fee in-lieu of these improvements is required for projects with a value of 50% or more of the assessed value of the property.)
- Location of all proposed and existing water mains, valves and fire hydrants

Civil Plan Checklist (2 copies) drawn to engineering scale.

Grading

- Clearing limits and trees to be retained
- Existing contours at 2' intervals on site and 5' contours extending 100' from property
- Proposed contours at 2' intervals, show in darker line than existing contours
- At least two cross-sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales past excavation, filled areas or cleared areas (indicate depth of cut/fill)
- Quantity of excavation and embankment in cubic yards
- Quantity of surplus or unsuitable excavation materials to be exported from the site
- Proposed disposal site with anticipated haul routes

Erosion Control

- Silt fencing, catch basin protection, construction entrance, and temporary sediment ponds
- Construction details and notes associated with each erosion control method
- Contact information of the individual responsible for the on site erosion control manual

Drainage and Paving

- Plan view of drainage system and associated paving
- Profiles of drainage system and roadway improvements
- Details of all structures and drainage facilities including, catch basins, flow control devices, water quality, and infiltration facilities

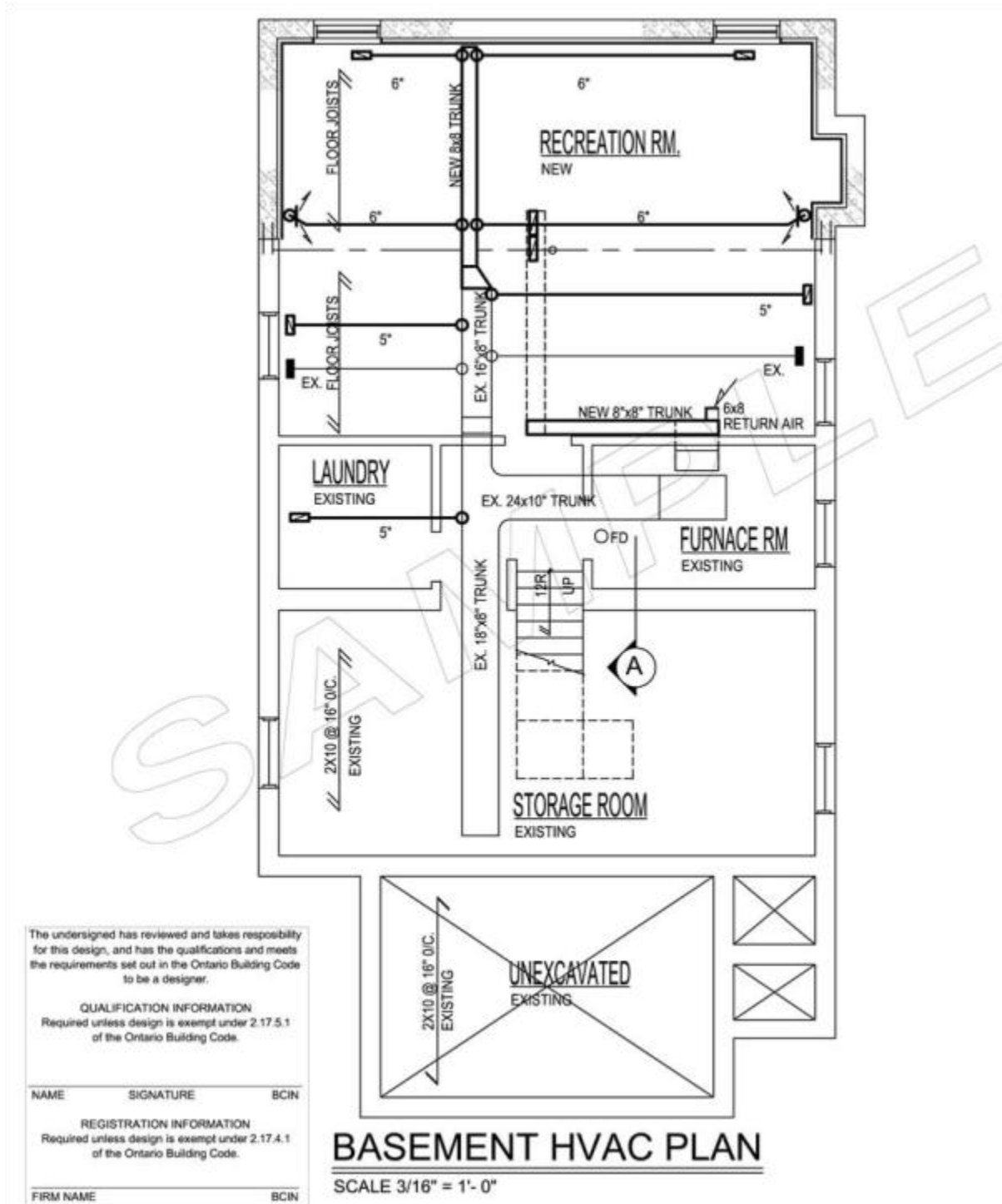
Utilities

- Locations of all existing and proposed utilities including water, sewer, gas, electric, and telecommunications

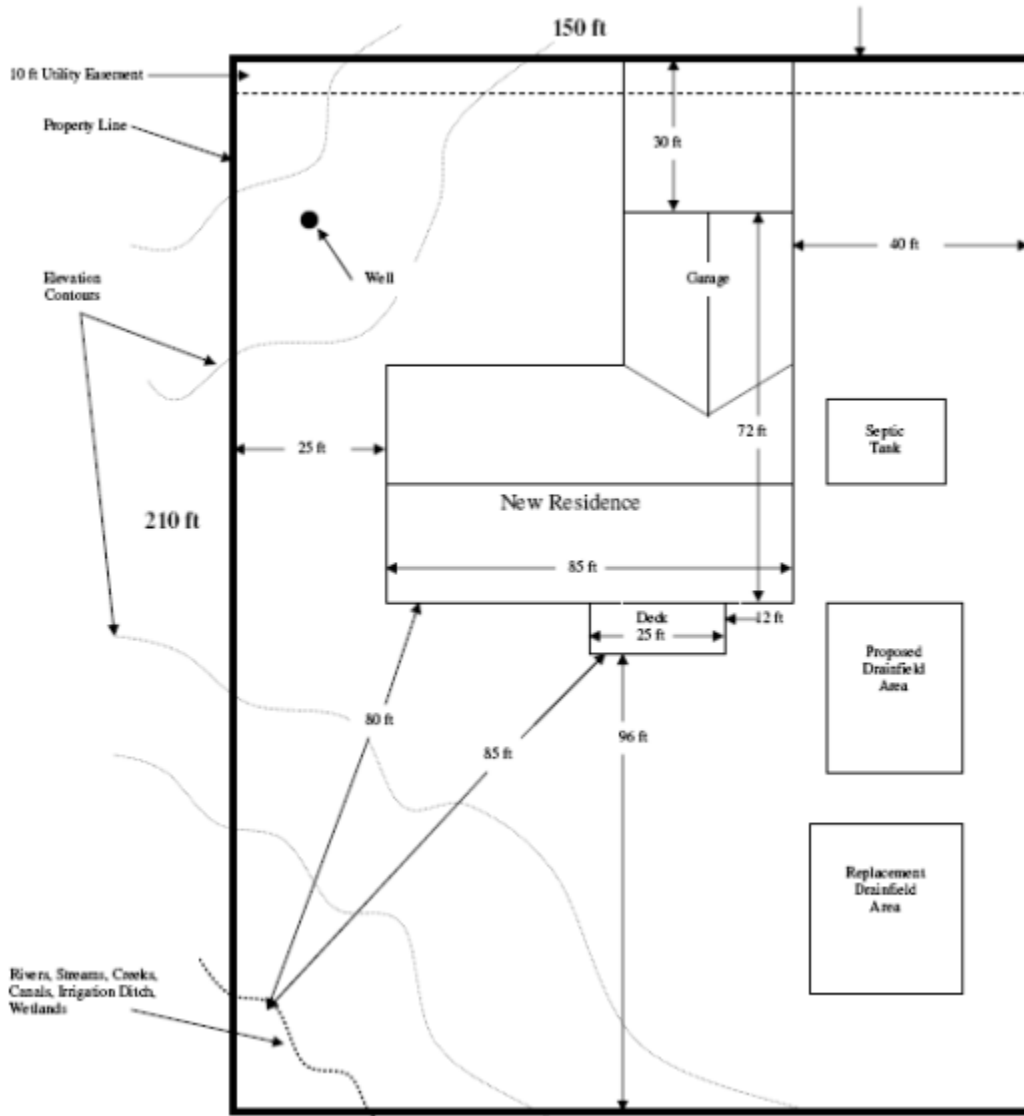
Additional information that may be required

- Downstream drainage analysis, drainage calculations, and soils information
- Geo-technical or soils report

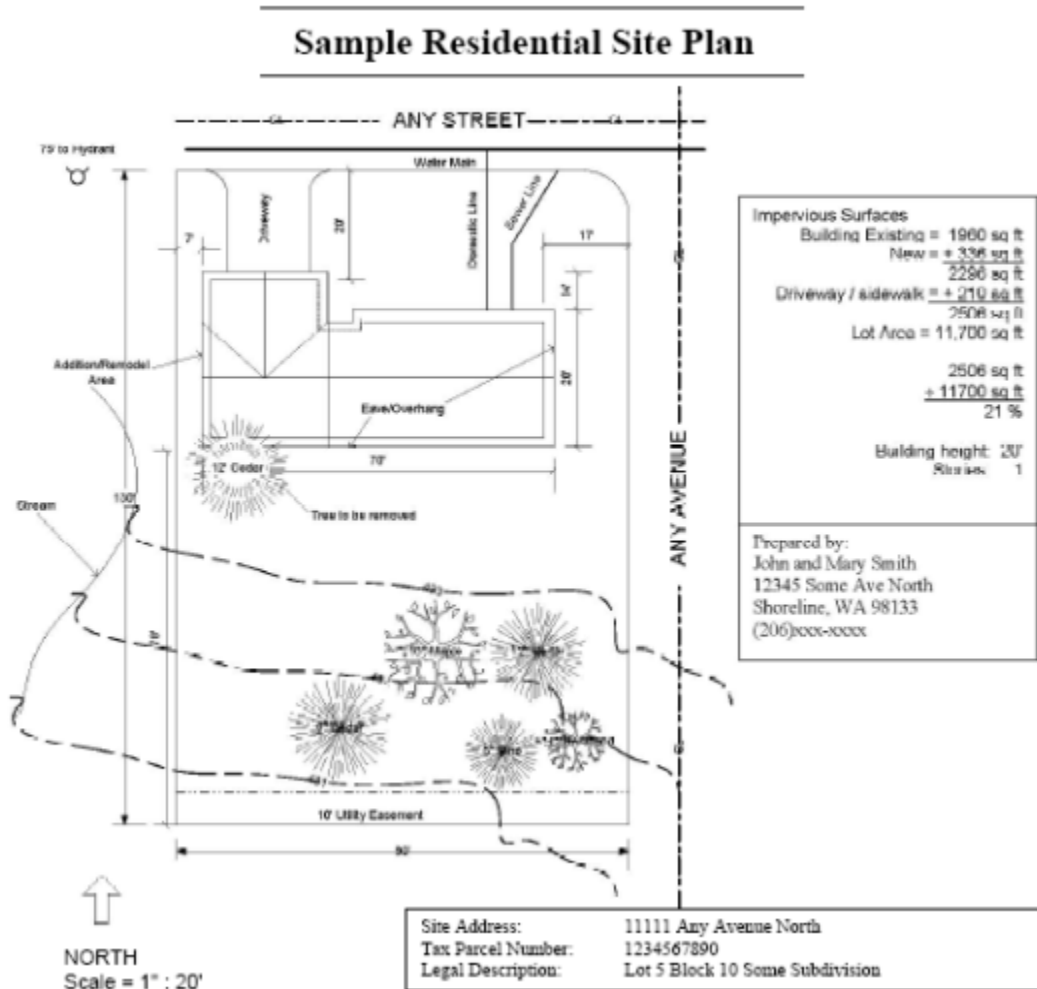
Appendix F: HVAC Plan



Appendix G: Sample Site Plan



Appendix H: Sample Residential Site Plan



EXAMPLE SITE PLAN VIEW:

