



## **BUILDING PERMIT GUIDELINES**

### ***Subsidiary Apartments and Secondary Suites***

#### **Intent**

Subsidiary apartments and secondary suites must be constructed to minimum national standards. These guidelines summarize the major components of these standards which are to be incorporated into the design. In addition to the national standards, the Town of Gander has adopted guidelines to regulate the number of apartments permitted per dwelling; the locations where they are permitted; as well as accommodate units which were in existence prior to the 1990 national code changes.

The enforcement of these guidelines by the Town of Gander serves to ensure that building codes are met or exceeded, occupants on both sides are protected, and the impacts to homeowners and their neighbours are lessened.

#### **Application and Fee Structure**

A Building Permit is required for the alteration or construction of a subsidiary apartment or the alteration of an existing subsidiary apartment within a dwelling.

#### **Building Permit Fee:**

- **Minor Residential Construction** (under \$20,000 value): **\$1.00** for each **\$1000.00** construction value. Minimum charge of **\$10.00**.
- **Major Residential Construction** (over \$20,000 value): **\$2.00** for each **\$1000.00** construction value.
- **Non-Residential Construction: \$5.00** for each **\$1000.00** construction value.  
*\*Construction value is calculated at a cost of \$20.00/square foot for developed basements.*

*Fee to be paid upon receipt of application.*

**Where the Authority has been made aware that a subsidiary apartment or secondary suite has been constructed prior to the issuance of a building permit, the permit fee shall be doubled.**

**\*\*An inspection deposit of \$500.00 is required when constructing an apartment in an existing dwelling to ensure compliance with the Town of Gander's by-laws and building regulations, as well as the National Building Code. This deposit is refundable after a final inspection has been completed and approved.**

#### **To Apply:**

1. Submit a Town of Gander Building Permit Application.
2. Provide drawings, including the floor plan, as well as the location and composition of all fire separations for review.

3. Pay applicable fees and deposits as determined in the current fee schedule.

## **Definitions**

**Dwelling Unit** – means a self-contained unit consisting of one or more habitable rooms used or designed as the living quarters for one household.

**Secondary Suite** – means a separate dwelling unit not exceeding **80%** of the floor area of all stories of the other dwelling units or **80 m<sup>2</sup>**, whichever is the lesser.

**Subsidiary Apartment** – means a separate dwelling unit constructed within and subsidiary to, a self-contained dwelling.

## **Regulations**

**Occupancy of a Subsidiary Apartment or Secondary Suite will NOT be granted if it is found to be a potential fire hazard or is below the level of acceptable life safety due to its location, construction, or contents. More specifically, the following requirements must be met before the apartment can be approved for occupancy.**

### **Subsidiary Apartment**

- There shall be no greater than one (1) subsidiary apartment per dwelling and at no time are subsidiary apartments permitted in a double dwelling (duplex). Subsidiary apartments are not permitted in combination with a secondary suite.
- Minimum floor area requirements for a subsidiary apartment are **40m<sup>2</sup>** for one bedroom plus **10m<sup>2</sup>** for each additional bedroom.
- A Subsidiary apartment must be equipped with a separate electrical service and associated electrical panel. Additionally, a separate mechanical ventilation system must be provided.
- A floor plan drawing is required for the addition of a subsidiary apartment and may be required for any alterations.
- A separate parking space shall be provided as per Town of Gander development regulations
- Subsidiary apartments shall have a separate entrance that is not shared with the main dwelling.
- Bedroom windows shall have an unobstructed opening of 0.35 m<sup>2</sup> with no dimension less than 380mm as per the current *National Building Code (NBC)*.
- Subsidiary apartments shall be separated from the remainder of the dwelling by a fire separation with a fire resistance rating of not less than 45 minutes. This includes the use of non-combustible plumbing in all parts of the apartment. See part 9.10 of the current *National Building Code (NBC)*.
- Laundry facilities or adequate space for laundry facilities shall be provided in every subsidiary apartment. Plumbing to be roughed in.

## **Secondary Suite**

- A separate electrical service/panel is prohibited, and smoke detectors must be interconnected to main residence
- Must have fire separation of ½ hour
- Common driveway permitted
- Not required to have separate air exchange unit

## **Existing Subsidiary Apartments - (constructed prior to January 1, 1990)**

- Existing dwellings containing two (2) subsidiary apartments and previously approved by the Town Council of Gander, may be permitted as a non-conforming use provided that all Town of Gander regulations pertaining to the dwellings and the subsidiary apartments are strictly adhered to.
- Existing subsidiary apartments are required to be separated from the remainder of the dwelling by a fire separation with a fire resistance rating of not less than one-half (1/2) hour.
- Apartments may have access to the outside entrance shared with the main dwelling provided the access is separated, along with the apartment, from the remainder of the dwelling by a fire separation having a fire resistance rating of not less than one-half (1/2) hour.
- Laundry, basement, rec. room, unfinished basement or cellar, water closet, kitchen.
  - *Windows not required.*
- Living room, dining room, bedrooms and all other rooms.
  - *Minimum clear opening height and width of **380 mm** and minimum area of **0.27m<sup>2</sup>***

## **Occupancy Permit**

- Please note that an Occupancy Permit is required for any dwelling unit. All requirements of these guidelines must be met prior to the issuance of this permit.
  - All construction shall be completed in accordance with the current **NBC**. These regulations are subject to change as the NBC and Municipal Regulations are changed and updated accordingly.

## **Important Information**

- The minimum ceiling height for subsidiary apartments shall be **2.1m**; secondary suites shall be **1.98m**
- Where an electrical panel is located in a living area, they may be covered and shall be rendered inaccessible to children by means of an external non-lockable cover.
- All material used on the interior of a building must conform to the flame spread requirements of the National Building Code. Non-conforming materials are strictly prohibited.

## **Inspections and Maintenance**

- An initial inspection is required prior to construction commencing and the inspector will check for items that may or not comply with current codes and regulations and advise of acceptable solutions.
- The apartment is also inspected during various stages of construction to verify all fire stops, insulation, new items, etc.
- During construction, and before the installation of drywall, the apartment will be inspected to verify all required fire stops, insulation, resilient channel, etc. are in place.
- A final inspection is required once construction is complete and must be approved before an occupancy permit can be issued.

## **Other Related Information**

- Occupancy Regulations
- Residential Building Permit Guidelines
- Mandatory Inspection Guidelines



### **Powers of Authority**

***Employees of the Town of Gander are required to enforce these regulations and are not permitted to make modifications. If these regulations prohibit a development proposal, the applicant may formally contact Council, by written request, to effect changes to a regulation or by-law.***

This is a guideline prepared for easy reference. The Town's Regulations are subject to periodic amendments. For the most recent and official version of the regulations, please refer to the Town of Gander's Development Regulations.