



BUILDING PERMIT GUIDELINES

Residential Patios, Decks, and Balconies

Intent

Patios, decks and balconies are often an extension of the living space. As such, construction shall meet the minimum standards of the National Building Code of Canada. The Town of Gander has adopted regulations which will enable property owners to construct these structures without impacting neighbours and the general public. These regulations pertain to the height, location and materials used, as well as important safety features such as guard rails and stairs.

Application and Fee Structure

Building Permit Fee:

\$1.00 for each **\$1000.00** of construction value under \$20,000
\$2.00 for each **\$1000.00** of construction value over \$20,000
Minimum charge of **\$10.00**.

Fee to be paid upon receipt of application.

Where the Authority has been made aware that a structure has been erected, or that construction has commenced, prior to the issuance of a building permit, the permit fee shall be doubled.

To Apply:

Applications are available at the Town of Gander Engineering Department or online at www.gandercanada.com. Complete a Town of Gander Building Permit Application and submit it to the Town's Engineering department in person or by emailing it to the address provided above.

Definitions

Balcony – means a platform, projecting from the face of a wall of a building, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

Deck – means:

- a)** a structure abutting a dwelling with no roof or walls except visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.
- b)** A structure without a roof having a foundation to hold it erect, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, the floor of which is greater than 0.6 metres above finished grade, and which is designed and intended for use as a sundeck, but shall not include a landing or stair.

Patio - means a surfaced, open space of land at grade adjacent to a residential dwelling unit or mini home or mobile home which is used as an extension to the interior of the home for private or semi-private entertainment or leisure activities.

Regulations

Patios, decks and balconies shall be permitted subject to the following conditions:

- Any stairs or steps providing ground level access to a deck or balcony shall maintain a minimum front yard setback of **5.0m** and a side yard and rear yard of **1.0m**.

A **patio** shall meet the following standards:

- Minimum front yard of **6.0m** provided the patio does not encroach upon or reduce the number of off-street parking spaces required for the residential use.
- Minimum side yard of **1.5m***
- Minimum rear yard of **1.5m***
- Maximum height of **0.6m** above ground level

A **deck** shall meet the following standards:

- Minimum front yard of **6.0m***
- Minimum side yard of **1.5m***
- Minimum rear yard of **1.5m**, unless otherwise determined by Council *
- Height: **0.6m** or greater above the established grade, but not higher than the first floor of the dwelling (higher is considered balcony)

A **balcony** shall meet the following standards:

- Minimum side yard of **2.0m***
- Minimum rear yard of **1.5m***

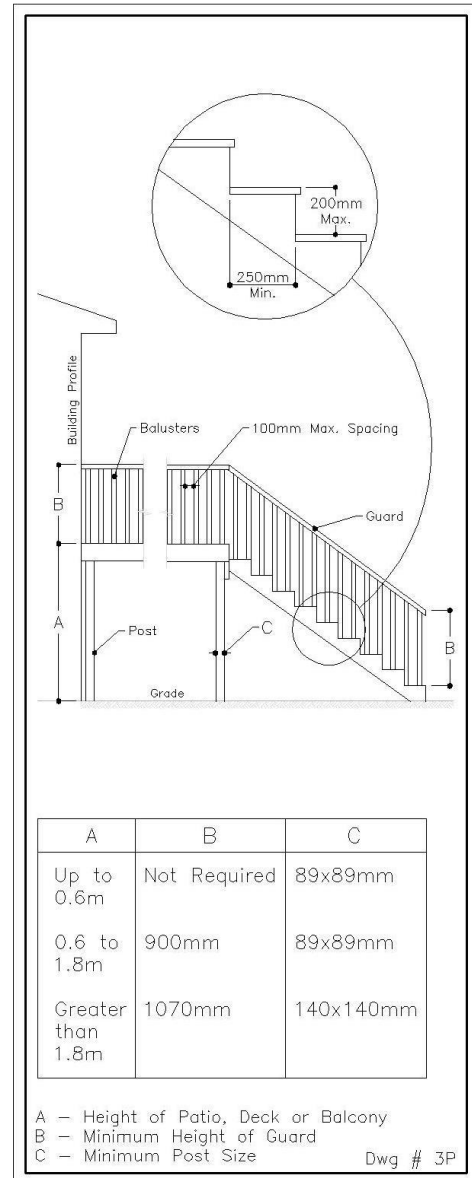
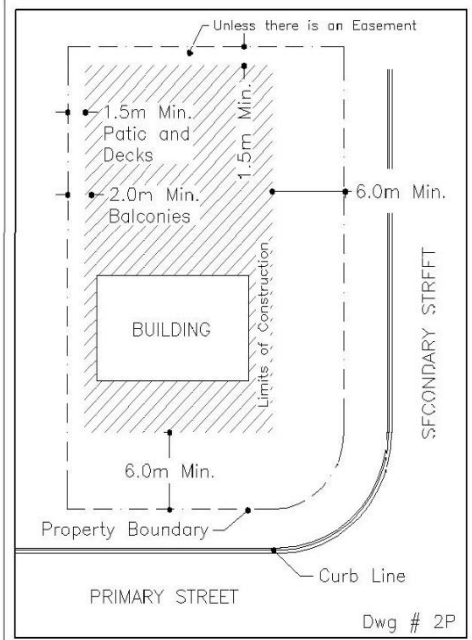
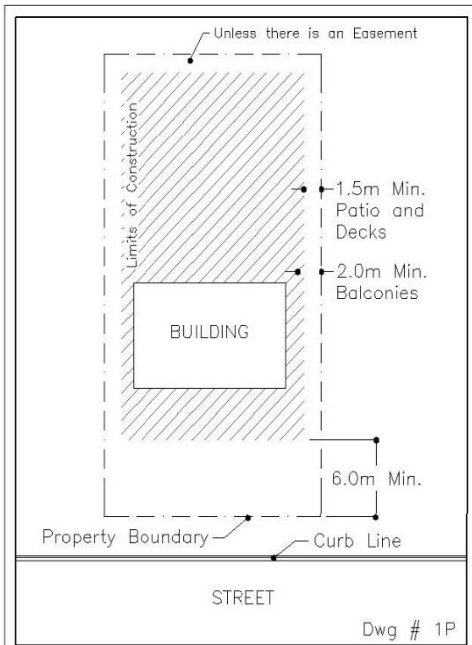
*** At no time shall a patio, deck or balcony encroach onto an easement.**

General Information

- Building permits are required for all such structures. All structures being erected in conjunction with new home construction must meet the requirements of the current National Building Code.
- Structural aspects of decks and balconies are to be designed using the same load tables for residential housing. Posts are to be the full width of the supported member and are to be not less than 89X89 mm for decks and 140X140 mm for balconies, unless calculations are provided to show lesser sizes are adequate.
- If a patio, deck or balcony is fastened to the dwelling, the entire structure must be provided with frost protection.
- All stairs, guards and handrails must meet the requirements of current NBC. (see table below)

Guard Heights	Deck up to 1.8m from ground	900mm
	Deck over 1.8m from ground	1070mm
Guard Openings	Maximum	100mm
Handrails (measured vertically from nosing to top of handrail)	Minimum	865mm
	Maximum	965mm
Stairs	Minimum run	250mm
	Maximum rise	200mm

Typical Scenarios



Inspections and Maintenance

All patios, decks and balconies within the boundary of the Town shall be maintained to the satisfaction of the council and where a patio, deck, or balcony, in the opinion of the Council, is in need of maintenance, the Council shall so inform the owners or occupiers by registered letter. The requested maintenance shall be done by a specified period as outlined in the letter, normally **ten (10)** days.

Recommendations

- Contact NL Power to verify the size and location of potential easements and to ensure compliance

Newfoundland Power Construction Services:

1-888-491-5066

- Obtain a property survey or real property report from a NL land surveyor to ensure accessory building is located according to minimum Town of Gander standards and clearances. (i.e. Side yards, rear yards, etc.)



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.