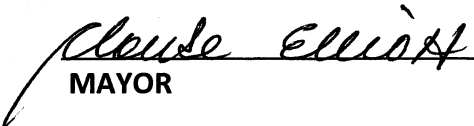




BUILDING REGULATIONS

Amended and adopted by the Town Council of the Town of Gander on the 5th day of **February, 2014** and to come into effect as of the 5th day of **February, 2014**.

A copy of these Regulations was sent to the Minister of Municipal and Intergovernmental Affairs on the 10th day of **February, 2014**.

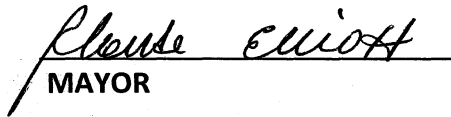

MAYOR

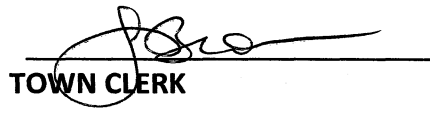

TOWN CLERK

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414 and any other enabling sections of the *Municipalities Act, 1999 SNL Chapter M-24* as amended, the Town Council of the Town of Gander hereby adopts the following Building Regulations.

A copy of these Regulations was forwarded to the Minister of Municipal and Intergovernmental Affairs on the 10th day of February, 2014.


MAYOR


TOWN CLERK

BUILDING REGULATIONS

1. Title

These Regulations may be cited as the "Town of Gander Building Regulations."

2. Definitions

For the purpose of these Regulations unless the context otherwise requires:

- (a) "Applicant" means the owner or his/her authorized representative who submits an application;
- (b) "Act" means the Municipalities Act, 1999 SNL 1999 Chapter M-24 as amended, and/or the Urban and Rural Planning Act 2000;
- (c) "Building" means a structure, erection, excavation, alteration or improvement placed on, over or under land, or attached, anchored or moored to land; mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar uses and any part thereof;
- (d) "Council" means the Town Council of Gander;
- (e) "Enforcement Authority" means Council or its authorized administrator;
- (f) "Fence" means a barrier closing or bordering a field, yard, etc. usually made of posts and wire or wood, used to prevent entrance, to confine, or to mark a boundary;
- (g) "Fire Department" means the Gander Municipal Fire Department;
- (h) "Inspector" means a Municipal Enforcement Officer, Building Inspector, a representative of the Office of the Fire Chief or person otherwise appointed by the Authority or by any federal or provincial authority;

- (i) "Minister" means the minister appointed under *the Executive Council Act* to administer this Act.
- (j) "Municipal Boundaries" means the municipal boundary and/or the planning area boundary as defined by the Urban and Rural Planning Act and the Town of Gander Municipal Plan;
- (k) "Owner" means a person or an organization of persons owning or having the legal right to use the land under consideration;
- (l) "Clerk" means the staff person issuing the permit on behalf of the Town of Gander;
- (m) "Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind;
- (n) "Stop Work Order" shall mean an order which requires all work governed by these Regulations underway at an identified site to cease until such time as the stop work order is lifted;
- (o) "Town" shall mean the Town of Gander as defined by Order-in-Council dated the 16th day of December, 1958, and any amendments thereto, according to the Municipalities Act;
- (p) "Town Clerk" means the Town Clerk of the Town of Gander;
- (q) "Town of Gander Development Regulations" means the Town of Gander Municipal Plan and Development Regulations as amended;
- (r) In these Regulations, expressions used shall have the same representative meanings as contained within the Town of Gander Development Regulations;
- (s) "Schedule "A" – "Municipal Fees" shall mean the schedule of fees adopted by the Town of Gander from time to time;
- (t) As per Schedule "A" of the Town of Gander's Development Regulations.

3. Application

- (1) The following Codes and Documents are adopted as per Section 414 of the Act and as signed by the Minister:
 - (a) The current edition of the National Building Code of Canada and its supplements is hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full;
 - (b) The current edition of the National Fire Code and its supplements is hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full;
 - (c) The current edition of the National Plumbing Code and its supplements is hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full;

- (d) The NFPA 101 Life Safety Code, current edition is hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full; and
- (e) Provincial Fire Protection Services Act.
- (2) These Regulations shall apply to all properties contained within the municipal and planning area boundaries of the Town of Gander;
- (3) No building shall be constructed, erected or changed, altered, extended, repaired or demolished except in conformity with the requirements of these Regulations, the Town of Gander Development Regulations and all codes aforementioned in 3 (1).

4. Permit Requirements

It is a requirement of Council that a building permit be obtained from the Municipal Works Department prior to the construction of any and each building erected on a property as well as the installation of equipment in or around that building. Permits are also required for any alterations and additions to properties or construction of any accessory buildings. Building Permits are required for all aspects of construction with the exception of painting, landscaping, asphaltting and concrete walks. A permit for minor cosmetic residential repairs not exceeding \$ 5, 000 will not be required.

5. Residential

5.1 Building Permit Fee

- 1) A Building Permit is required for all construction and the fees are:
 - i. For minor construction (under \$20,000.00 value) \$1.00 for each \$1,000.00 construction value with a minimum charge of \$10.00;
 - ii. For major construction (over \$20,000.00 value) \$2.00 for each \$1,000.00 construction value.
- 2) The fee is to be paid at the time of application. Sufficient time should be allotted for processing of Building Permit application and review of submitted drawings, normally 2 - 3 days.

5.2 General Information

- 1) The builder shall provide a copy of the survey of the property;
- 2) Builders must present two complete sets of plans. Upon review, one set will be stamped and returned to the owner;
- 3) Plans shall be drawn to scale;
- 4) White print copies only;
- 5) Plans are to be submitted on standard size sheets;
- 6) Plans shall include elevations, foundation plan, floor plan, wall section and details (stairs, roof or truss, etc.);

- 7) At no time shall changes be made to an approved drawing without first having received approval of the Engineering Department of the Town of Gander;
- 8) All construction shall be completed in accordance with the current National Building Code of Canada.

5.3. Plot Plan

- 1) The Town will provide for the homeowner/builder a plot plan which will include the following information:
 - (a) Location of house on the lot;
 - (b) Lot grades;
 - (c) Drainage direction of water over the entire lot;
 - (d) Driveway location;
 - (e) Utility easements.
- 2) Footings shall be located by a surveyor and a House Placement Verification form completed and forwarded to the Town of Gander prior to any further construction taking place. The Town of Gander shall be provided a Location Certificate for the property prior to the erection of the first floor exterior walls.

5.4. Sideyards

- 1) Council requires a minor sideyard of 1.50 metres, a major sideyard of 3.00 metres (a minimum distance of 4.50 metres must be maintained between houses at all times) and an average rear yard of 12.0 metres, the driveway being located in the major sideyard. Careful consideration should be given to this when choosing a lot for a new home;
- 2) Houses located on corner lots shall be located a minimum distance of 8.00 metres from the lot line on the secondary street. Driveways on corner lots will not be permitted on the two sides near the intersection (within 10 meters).

5.5 Lumber Requirements

All materials shall be identified by a grade stamp.

5.6 Ventilation Requirements

- 1) All dwelling units shall be equipped with a mechanical ventilation system capable of providing adequate air changes to each room, as per the current NBCC. A Heat Recovery Ventilation Unit serving a residential property shall not be installed/mounted within an attached garage of that residence;
- 2) A copy of the Certificate of Compliance shall be forwarded to the Town of Gander prior to final approval for occupancy being granted.

5.7 Plumbing Protection

- 1) Sanitary sewer pipe shall be SDR-35 and GREEN in colour & the storm sewer pipe shall be SDR-28 and WHITE in colour;
- 2) A pressure reducing valve shall be installed on the water service if water pressure in your area exceeds 550 KPA (80 PSI). Please check with the Engineering Office for further information;
- 3) Backflow Prevention Devices shall be installed as per the current edition of the National Plumbing Code of Canada

5.8 Concrete

Concrete mix for foundations shall achieve a minimum strength of 15 MPA (2200 PSI) after 28 days. If concrete mix is not supplied by an accredited batch plant, the owner must supply the Town, through an independent Engineer, certification of strength and integrity of concrete mix.

5.9 Grading

The building site shall be graded precisely as is outlined on the overall grading plan and so that water will not accumulate at or near the building, or flow onto other properties. Adequate surface water drainage shall be provided over the entire building site. Driveways, walks, terraces, retaining walls or other constructions shall not interfere with the flow of surface drainage.

5.10 Easements

In the event an easement is located on a property the Town will, where possible, establish the sideyard where the easement is located as being 0.3 metres larger. If the house is located incorrectly, it may be necessary to move the house at the expense of the owner/builder.

5.11 Drainage of Excavation

- 1) Laterals (storm and sanitary) must be capped at all times. Great care must be taken to ensure that silt, sawdust, concrete, etc., not be allowed to enter the sewer system through house laterals during construction. This can result in blockages in the system and much expense and inconvenience to both the builder and home owners who experience flooding. Costs will be charged to the owner/builder where responsibility can be proven;
- 2) Water from excavations must not be pumped out onto the street. It should be pumped onto the ground at a point where it is sloping away from the excavation or directly to a catch basin or other Town approved area.

5.12 Stripping of Lots

- 1) All stumps, rocks and other stripping material removed from the site shall be disposed of at a dump site approved by the Town;

- 2) Great care should be taken during stripping and basement excavation that materials are not pushed onto the street, where they can contaminate granular materials used in the street construction. If this occurs the builder is responsible for street cleaning or reparation.

5.13 Occupancy Permit

An Occupancy Permit is required for the occupancy of any building or part thereof. This permit is required prior to occupancy.

5.14 Completion

From the date of purchase of the lot, the applicant has one year to commence construction of the project. From the date of issuance of a Building Permit, the applicant has one year to establish substantial completion of the project.

6. Non-Residential

6.1 Building Permit Fee

- 1) A building permit is required for all construction and the fee is \$5.00 for each \$1000.00 of construction value with a minimum charge of \$10.00. The fee is to be paid upon receipt of application;
- 2) Sufficient time should be allotted for processing of the Building Permit application and review of submitted drawings, normally 3-4 weeks.

6.2 General Information

- 1) The builder shall provide a copy of the survey of the property;
- 2) Builders must present two complete sets of plans. Upon review, one set will be stamped and returned to the owner. Information to be provided on plans:
 - a) Plans should be drawn to scale;
 - b) White print copies only (photo copies not accepted);
 - c) Shall be of quality workmanship;
 - d) To be submitted on standard size sheets;
 - e) Shall include – site plan, landscaping plan, elevations, foundation plan, floor plans, mechanical, electrical, sections and details, etc;
 - f) All plans shall bear the stamp of a Registered Provincial Engineer of the province of Newfoundland and Labrador;
 - g) All plans shall be completed in accordance with the current National Building Code of Canada and all applicable Provincial codes and Municipal regulations;
 - h) At no time shall changes be made to an approved drawing without first having received the approval of the Engineering Department of the Town of Gander.

6.2 Sideyards

As per the current edition of the Town of Gander's Development Regulations.

6.3 Easements

In the event an easement is located on a property, the Town will, where possible, establish the sideyard, where the easement is located, as being 0.3 metres larger. If the building is located incorrectly, it may be necessary to relocate the building at the expense of the builder/owner.

6.4 Drainage of Excavation

- 1) Laterals (storm and sanitary) must be capped at all times. Great care must be taken to ensure that silt, sawdust, concrete, etc., must not be allowed to enter the sewer system through building laterals during construction. This can result in blockages in the system and much expense and inconvenience both to the builder and building owners who experience flooding. Costs will be charged to the builder/owner where responsibility can be proven;
- 2) Water from excavations must not be pumped out into the street. It should be pumped onto the ground at a point where it is sloping away from the excavation or directly to a catch basin or other Town approved area.

6.5 Stripping of Lots

All stumps, rocks, and other stripping material removed from the site shall be disposed of at a dump site approved by the Town. Great care should be taken during stripping and basement excavation that materials are not pushed onto the street, where they can contaminate granular materials used in the street construction. If this occurs the builder is responsible for street cleaning or reparation.

6.6 Occupancy Permit

An Occupancy Permit is required for the occupancy of any building or part thereof and is required prior to occupancy.

7. Other Approvals - Government Service Centre

The Government Service Centre situated in the Fraser Mall, 230 Airport Boulevard, is responsible for the handling and processing of all Provincial Government permits, licences and approvals.

The Centre controls approvals for Fire & Life Safety, Building Accessibility, Health, Environment and Lands, Highways, Development & Tourism, etc.

The Department must be contacted a minimum of two to three weeks prior to expected commencement of construction.

Under no circumstances will a permit be issued or construction be permitted to commence until all approvals have been received from applicable agencies.

If construction does start without such approvals, a stop work order will be issued.

8. General

- 1) Excavated material shall not be stock piled on the street surface. It is the responsibility of the owner/contractor to ensure that the street surface is maintained free of excavated material which could cause accidents or block sewer systems;
- 2) No grubbing or excavated material shall be left on adjacent lots or the open or green areas at the rear of the lot;
- 3) Sanitary sewer pipe shall be SDR-35 and GREEN in colour with a minimum acceptable grade of 2.0% & the storm sewer pipe shall be SDR-28 and WHITE in colour with a minimum acceptable grade of 1.0%;
- 4) Where Polyethylene/Aluminum/Polyethylene composite pipe (KITEC) is to be utilized as a water service line, that pipe shall be LIGHT BLUE in colour and shall conform to CSA B137.10 and ASTM F1281;
- 5) Property shall be sloped to prevent the accumulation of water at or around the foundation. Grade property so as not to shed water onto neighbouring properties;
- 6) Grading shall be completed properly in order to provide positive drainage and aesthetics and to avoid a conflict with utilities;
- 7) Weeping tile installed around the perimeter of the footing shall be covered with a minimum of 150mm of crushed stone and filter fabric;
- 8) A minimum frost cover of 1.2 m (41) shall be provided for exterior foundation measured from grade to the base of the foundation footing;
- 9) Exterior Damproofing:
 - (a) Where the exterior finish ground level is at a higher elevation than the ground level inside the foundation walls, exterior surfaces of foundation walls below ground level shall be dampproofed;
 - (b) Concrete walls to be dampproofed shall have holes and recesses resulting from the removal of form ties sealed with a dampproofing material;
- 10) If the basement floor or inside grade is greater than 1.22 meters but less than 2.15 meters in height below finished grade then the foundation wall must be laterally supported to meet the requirements of the current version of the National Building Code of Canada;
- 11) Wood in contact with concrete foundations shall be treated or separated from the concrete by at least .05 mm polyethylene or Type S Roll Roofing;
- 12) Where water pressure exceeds 550 KPA (80 PSI), a pressure reducing valve shall be installed;

- 13) Backflow Prevention Devices shall be installed as per the current version of the National Plumbing Code of Canada, and if installed in a building drain, it shall be a normally open design. Access covers in the floor shall be placed flush with the top of the floor;
- 14) OSB & Plywood Marking - OSB & plywood used for roof sheathing, wall sheathing and subflooring shall be legibly identified on the face of the material indicating manufacturer of the material, standard to which it is produced, and that the material is of an exterior type (DeGrade or "D" grade material is not approved for use);
- 15) Vapour barrier protection shall be installed between exterior and interior walls, over all top plates and around all electrical boxes. Piping or ductwork shall be sealed to maintain the integrity of the vapour barrier over the whole surface;
- 16) The membrane type vapour barrier shall have a minimum thickness of 0.15 mm (6 mil) and shall conform to the requirements of: (a) Can/CGSB-51.34-M "Vapour Barrier, Polyethylene Sheet for Use in Building Construction"; or (b) CAN/CGSB-51-33-M "Vapour Barrier, Sheet Excluding Polyethene, for Use in Building Construction" so as to comply with Article 9.25.3 and 9.25.4 of the National Building Code of Canada. General purpose vapour barrier is not acceptable;
- 17) Pot lights installed through a vapour barrier are required to be rated for that purpose or boxed;
- 18) A clearance of not less than 200 mm shall be provided between the finished ground level and siding;
- 19) Where an exhaust duct passes through or is adjacent to unheated space, the duct shall be insulated to not less than RS10.5;
- 20) All house wrap must be continuous over the whole exterior wall surface of the house, lapped 150 mm & taped. Edges must also be taped around all openings and wall penetrations;
- 21) Eave protection shall be provided underneath the starter strip on all shingle roofs less than 8:12 slope;
- 22) Attic space shall be accessed by a hatchway not less than 500 mm x 700 mm where the attic space is more than 600 mm in height at the highest point. The access hatch shall be insulated and weather stripped;
- 23) Each bedroom shall have at least one (1) outside window openable from the inside without the use of tools or special knowledge. Such windows shall provide an unobstructed opening of not less than 380 mm in height and width and 0.35 m² in area. It is recommended that the sills of windows intended for use as emergency exits be not higher than 1.5 m above the floor;
- 24) Where a bedroom window opens into a window well, a clearance of at least 550 mm shall be provided in front of the window. Where a sash swings toward the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency;
- 25) Stairs, ramps, handrails and guards shall be designed and constructed in accordance with Section 9.8 of the National Building Code of Canada;

- 26) A headroom clearance of at least 1.95 m shall be obtained at stairs measured at a vertical distance from a line drawn through the outer edge of nosing to the underside of the ceiling above;
- 27) A.C. smoke alarms shall be installed so that there is at least one smoke alarm on each floor level, including basements. A smoke alarm has to be installed in each sleeping room and if the sleeping rooms are served by a hallway a smoke alarm shall be located in the hallway. All smoke alarms have to be interconnected and be provided with a battery as an alternative power source;
- 28) Carbon Monoxide Detectors shall be installed. If an attached garage is constructed, detectors shall be installed inside each bedroom or outside each bedroom within 5 m of each bedroom door and in any room containing a solid fuel burning appliance;
- 29) A fire separation having a 3/4 hour fire resistance rating is required between apartment units;
- 30) All load bearing walls, columns and arches shall have a fire resistance rating of 3/4 hour;
- 31) The integrity of all required fire separation shall be maintained in conformance with the National Building Code of Canada;
- 32) The installation of plumbing and piping material shall be installed with respect to penetration of fire separation in conformance with the National Building Code of Canada;
- 33) A sound transmission class rating of 50 is required between apartment units;
- 34) Ductwork located in a fire separation shall be non-combustible galvanized sheet metal;
- 35) The notching and drilling of floor and ceiling members, plates, and wall studs shall be in conformance with Subsection 9.23.5 of the National Building Code of Canada;
 - (a) Holes drilled in roof, floor or ceiling framing members shall not be larger than one quarter the depth of the member and shall be located not less than 50 mm from the edges;
 - (b) Floor, roof and ceiling framing members are permitted to be notched, provided the notch is located on top of the member, within half the joist depth from the edge of bearing and is not deeper than one third the joist depth;
 - (c) Roof truss members shall not be notched, drilled or otherwise weakened, unless notching or drilling is allowed for in the design of the truss;
 - (d) Wall studs shall not be notched, drilled or otherwise damaged so that the undamaged portion of the stud is less than two thirds of the depth of the stud, if the stud is load bearing, or 40 mm if the stud is non load bearing;
 - (e) Top plates in the walls shall not be notched or drilled or otherwise weakened to reduce the undamaged width to less than 50 mm unless the weakened plates are suitably reinforced;

- 36) Where a pre-manufactured floor system is installed, the home owner shall provide the Town with a copy of the Manufacturer's Specifications;
- 37) The lintels shall be designed and installed in conformance with Wood Lintel Span Table A-13 to A-20 of the National Building Code of Canada;
- 38) Where beams terminate on interior walls, ensure solid blocking is provided under such beams and load transferred to basement foundation footing;
- 39) Every dwelling unit shall be provided with a mechanical ventilation system capable of meeting the requirements of the current edition of the National Building Code of Canada;
- 40) Mechanical ventilation installers are required to certify in writing that the system complies fully with the current edition of the National Building Code prior to an occupancy permit being issued. A copy of this certification shall be provided to the Town;
- 41) Duct work for range hoods and range top fans shall be of non combustible, corrosion-resistant material;
- 42) Air taken from kitchens for recirculation shall not be taken from the space above a fixed cooking appliance or from the space within one metre below the ceiling;
- 43) Kitchens and bathrooms are often a significant source of contamination, especially excessive moisture and provision for exhausting at the source is good ventilation practice. Supplemental exhaust shall be provided;
- 44) Where a hose bibb is installed outside a building, inside a garage or in an area where there is an identifiable risk of contamination, the potable water system shall be protected against backflow through the hose bibb;
- 45) Every plumbing system shall be designed and installed in accordance with the National Plumbing Code;
- 46) Every vent pipe in a plumbing system shall be installed without depressions in which moisture can collect;
- 47) Doors between a garage and dwelling shall be properly sealed and equipped with a self closing device.

9. Demolition Requirements

- (1) Prior to obtaining a demolition permit, an applicant shall:
 - i. Provide written confirmation from the electrical utility that the electrical supply to the building has been disconnected and that adequate safeguards have been taken for the protection of adjacent lines or equipment or that protection is not required;
 - ii. Have the water supply to the building discontinued and provide written verification that it has been discontinued;
 - iii. If required by the Enforcement Authority, have the site inspected by a qualified professional to identify asbestos, lead, biological or other heavy metal or toxic, flammable or explosive materials that may be handled, disturbed or removed; and