



Department of Community Development – Planning Division

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## DEVELOPMENT INFORMATION BULLETIN

# CONSTRUCTION OF SUBSIDIARY (BASEMENT) APARTMENTS IN NEW AND EXISTING DWELLINGS

*This is one in a series of Development Information Bulletins prepared to assist Property Owners and Developers to undertake specific types of development in the City of Mount Pearl. For further information on other Bulletins available in the series please contact the Department of Community Development.*

This information bulletin provides information for the construction of a subsidiary (basement) apartment within a single dwelling. A number of use zones in the Mount Pearl Development Regulations permit subsidiary apartments within a single dwelling. Property owners and developers are advised to review the Development Regulations, the zoning of the property and the applicable use zone table to determine if a subsidiary or basement apartment is a permitted use.

The following is applicable to subsidiary (basement) apartments:

1. A building permit is required for the construction of all subsidiary apartments in the City of Mount Pearl. An application is to be submitted to and approved by the City prior to the issue of a building permit.
2. Construction of a subsidiary apartment is subject to all applicable regulations and codes adopted by the City of Mount Pearl, including (but not limited to) the Mount Pearl Development Regulations, Mount Pearl Building Regulations, the National Building Code of Canada 2015 Edition and ancillary codes.
3. Prior to the issuance of the building permit, the following is to be submitted:
  - a) a completed application for Building Permit.
  - b) two (2) complete sets of building plans, including a wall section.
  - c) the occupancy permit fee.
4. An electrical permit is to be obtained from the Government Service Centre (GSC). Required Inspections are to be carried out as outlined by the GSC.

This is an office consolidation prepared for easy reference. The City's Regulations are subject to periodic amendments. For the most recent and official version of the regulations pertaining to "Subsidiary (Basement) Apartments", please refer to the City of Mount Pearl Development Regulations.

5. A plumbing permit is to be obtained from the City's Planning Division. This permit will only be issued to a licensed plumbing contractor who has obtained an annual license from the City of Mount Pearl. The plumber is required to submit, to the City's Planning Division, a Plumber's Certification form for the completed work prior to the issuance of an occupancy permit.
6. Construction of the subsidiary apartment is to comply with the requirements of the National Building Code of Canada 2015 edition. Some of the common requirements (but not limited to) are as follows:
  - a) An AC Smoke alarm is required to be installed in all rooms as per 2015 NBC. Smoke alarms shall be wired so that the activation will cause all alarms within the dwelling unit to sound.
  - b) All common walls and ceilings are to be sound-proofed. The common walls require sound batts or minimum R-12 insulation, complete with resilient channel. The common ceilings require sound batts or minimum R-20 complete with resilient channel.
  - c) A separate electrical panel is required for the apartment. This panel shall not be located within a required fire separation.
  - d) Drainage is to be provided from all exterior stairwells.
  - e) The finished ceiling height is to be a minimum of 1.95 metres (6' 5"). Room heights are to conform to section 9.5 of the National Building Code of Canada 2015 edition.
  - f) Each bedroom shall have at least one window which provides an unobstructed opening of not less than 0.35 square meters (3.8 square feet) in area with no dimension less than 380 mm (15 inches). This window must maintain the required opening during an emergency without the need for additional support. Where a window opens into a window well, a clearance of at least 760 mm (30 inches) shall be provided in front of the window.
  - g) Any ductwork that penetrates a required fire separation must be constructed of non-combustible material and shall be tightly fitted or fire stopped. Also, a duct that penetrates an assembly required to be a fire separation with a fire-resistance rating shall be equipped with a fire damper. A fire damper is a closure consisting of a damper that is installed in an air distribution system or a wall or floor assembly and that is normally held open but designed to close automatically in the event of a fire in order to maintain the integrity of the fire separation.
  - h) (i) A fire separation, having a ¾ hour (45 minutes) fire resistance rating is required between the apartment unit and the main dwelling as per section 9.10 of the National Building Code 2015 edition. This is achieved by installing a minimum of 5/8" fire rated gypsum board on all common ceilings between the apartment unit and main dwelling and minimum of 5/8" fire rated gypsum board on both sides of all common walls between the apartment unit and the main dwelling or two layers of 5/8" fire rated gypsum board on one side of the wall.

- (ii) Where a common door or access is used between the apartment and main unit, the door shall have a smoke tight barrier, equipped with a self closure and have a fire resistance rating of  $\frac{3}{4}$  hours – 45 minutes.
- i) All load bearing walls, columns, and arches which support a structure in the main dwelling immediately above shall have a fire resistance rating of  $\frac{3}{4}$  hour (45 minutes) as per Section 9.10.8.3 of the National Building Code 2015 Edition.
- j) Fire stops are required in concealed spaces and wall assemblies as per section 9.10.16 of the National Building Code of Canada 2015 edition.
- k) The minimum thermal resistance value for a finished basement wall assembly is:
  - a) Minimum R-22 for a 2” by 6” kneewall,
  - b) Minimum R-12 for a concrete foundation wall.This includes a minimum 6 mil polyethylene vapour barrier.
- l) Construction of apartment units in a dwelling must include the installation of separate mechanical ventilation systems (Heat Recovery Ventilator, Air Exchanger, etc.).
- m) It is the Applicant’s responsibility to ensure that all required inspections are performed throughout construction. The following inspections must be performed by a City Inspector from the Planning Division:
  - a) Vapour Barrier Under the Concrete Floor Inspection. If a concrete floor is required to be poured in the basement, prior to the construction of the apartment unit the City must inspect the vapour barrier over the crushed stone prior to the pouring of cement. This vapour barrier must be minimum 6 mil polyethylene. The City is enforcing a minimum 6” overlap on all seams and 6” against exterior walls. A radon gas extraction pipe is to be installed where new concrete floor is being installed.  
All floor level service penetrations which would be affected by the new concrete floor must be boxed out prior to this inspection.
  - b) Framing Inspection of the bearing walls, beams, joists, lintel, subflooring, floor assemblies, etc. This inspection cannot be completed until all electrical, plumbing, duct work has been completed. The City Inspector will also inspect any required fire stops during this inspection.
  - c) Insulation and Vapour Barrier Inspection. This includes the insulation in all exterior walls, common ceilings and common walls. The vapour barrier of all exterior walls and all required sealant and caulking will be inspected at this time.
  - d) Final Inspection. This inspection is performed prior to occupancy of the apartment. All required hand rails, guards, smoke alarms, egress windows in bedrooms, fire separations, etc. will be inspected at this time.

The following must be submitted to the City Inspector:

- (i) A copy of the final electrical certificate from the Government Service Centre.
  - (ii) A completed copy of the Plumber's Certification Form.
  - (iii) A copy of Mechanical Ventilation System Installation Certificate
  - (iv) Copies of installation certificates for any propane appliances, their supply lines and storage tanks.
  - (v) Copies of installation certificates for any heat pump systems.
  - (vi) A digital location certificate (if applicable).
- n) An Occupancy Permit is required prior to occupancy of a subsidiary apartment. An Occupancy Permit will be issued once conditions of the final inspections are complete.

#### **FOR FURTHER INFORMATION**

Any person who wishes to make an application or require further information should contact the Planning Division – Department of Community Development, Mount Pearl City Hall, 3 Centennial Street, Mount Pearl, NL, Telephone (709)748-1017/1022, Fax (709)748-1111, or email at [planning@mountpearl.ca](mailto:planning@mountpearl.ca).