

Operating a **Commercial Business** in Grand Falls-Windsor?

Guide to Municipal
Regulations

You will have a
| perfectly centered |
“Sense of Place”



Grand Falls • Windsor
| perfectly centered |

The goal for the Town of Grand Falls-Windsor is “to develop and maintain substantial partnerships with the local business community to understand their needs, infrastructure requirements and how the Town can assist them to stay in the community, and to expand and to promote their businesses.”

This document is prepared in a *question and answer* format to inform you, in a straight-forward manner, about the Town’s regulations, permits, taxation and processes respecting the operation of business.

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Legal Disclaimer

This guide provides a general overview of the regulations, permits and procedures applicable to doing business in the Town of Grand Falls-Windsor. The Town of Grand Falls-Windsor does not guarantee, warrant, or make any representations that the information contained herein is the complete authority on regulations, permits, taxes and processes as they apply to business.

Who do I contact about starting a business in Grand Falls-Windsor?

Whether you are ready to make an application or just want to discuss a development proposal, the Town of Grand Falls-Windsor welcomes the opportunity to talk in an informal and confidential setting.

Public Works & Development staff can provide information on the issues concerning the development of a specific site and the Town's requirements for the proposed development.

Economic Development, under the Community Services Department can assist with statistics, market research material, and provide contact information for funding sources.

For contact information refer to page 3

What regulations apply to the start-up and operation of my business?

There are several regulations which the Town has adopted that apply to all business types:

- Grand Falls-Windsor Municipal Plan and Development Regulations
- Grand Falls-Windsor Heritage Regulations
- Grand Falls-Windsor Sign Policy
- Grand Falls-Windsor Occupancy & Maintenance Regulations
- National Building Code of Canada
- National Fire Code

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Depending on the type of business you wish to operate, other jurisdictions, at the federal or provincial level, may be involved. For example, the Newfoundland and Labrador Liquor Corporation issues liquor licenses. Service NL processes permits, licenses, approvals and conducts inspections on behalf of several provincial government departments. Some of the approvals which fall under the responsibility of Service NL are: building accessibility, elevator inspections, and food establishment licensing.

For contact information refer to page 3

Are there regulations that affect where my business can be located?

Yes, the Town of Grand Falls-Windsor's Development Regulations regulate land use and development. Zones, which means a *"defined area, including Land and water, to which a uniform set of regulations pertaining to uses, Development standards and conditions of Use apply"*, have been established to ensure that only certain land uses or developments can occur in a particular zone.

To establish a business on a particular piece of property, you must be sure that the area is zoned for your business. To find out if the business meets the zoning requirements of your property, you should contact Public Works & Development Department (709-489-0211) planning@townofgfw.com

Staff can assist you in determining the zoning of your property and establish which uses are permitted or discretionary.

What is a Discretionary Use and What is involved with processing a Discretionary Use request?

“Discretionary Use means a Land Use that may be approved by the Authority within the specific Land Use Zone categories of the Development Regulations on the basis of specific outlined conditions of Use being addressed by an applicant.” The Authority will also consider the general appearance and character of the area of the proposed business into the existing neighborhood, issues of public safety and traffic patterns, as well as consideration of public interest, and other relevant and material factors, where applicable.

If the proposed business is deemed a discretionary use the applicant will be notified and a \$150 processing fee must be paid to the Cashier, Town Hall, 5 High Street to initiate the following:

- A notice will be posted to the Town’s Facebook page and mailed to all persons whose land is in the immediate vicinity. This process is intended to inform the public that an application for a business has been received and that the type of business is considered a discretionary use, provide details of the application and to allow an opportunity for public input on the proposed development. A minimum period of seven (7) days will be given for response.
- Representations, if any, that are received will be submitted to Public Works & Development Committee for review and make a recommendation to Council.
- In consideration of an application for development, Council may, in its discretion and as a result of its review and consideration of issues identified within Regulation 3.6, conditionally approve, or refuse and reject the application. In the evaluation and review of the Development Permit application, the Town Council as the approving Authority on development proposals may further determine to make a decision on an application on the basis of the following Regulations 3.6.1 to 3.6.11.
- **The discretionary use process is approximately 4 to 6 weeks (Dates for committee and Council meetings are subject to change).**

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How do I register/apply to operate a business in Grand Falls-Windsor?

It is **important** that the applicant contact Service NL. for their requirements.

The following information is to be submitted to the Cashier’s Office:

1. Application for Business Permit (see attached);
2. Scaled drawings: floor plan or a complete set of plans (for new construction);
3. Application for a Building Permit for renovations or new construction (see attached);
4. License/s or approvals (if required) from agencies having jurisdiction or authority;
5. Fees – \$25 Administration and
\$100 Occupancy Inspection;
\$150 Discretionary Use (if applicable) (the applicant will be notified during review if the proposed business is listed as a Discretionary Use)

* The fees above do not include any fees incurred by Service NL.

How long will it take to receive a Business Permit and/or Building Permit?

A Business Permit and/or Building Permit (if required) cannot be issued until a review is received from Service NL. Town staff cannot comment on how long it will take for Service NL. to complete their review, but Town staff are in regular contact with Service NL and strives to receive their review in a timely matter.

Are there other permits or approvals required?

Applicants must contact Service NL. for their requirements. (For contact information see below)

Approvals and permits are required for renovations or additions and signage. Please contact the Department of Public Works and Development located in the Town Hall, 5 High Street, 489-0427 or email permits@townofgfw.com for more information. (Application for Building Permit attached)

What happens when my Business Application is approved?

When an application is approved, The Public Works & Development Department will notify the applicant via email with an attached Business Permit for the applicant's signature and date.

The Business Permit establishes the conditions of permit and is to be signed by both the applicant (and/or owner of the property) and the Public Works & Development Department. Once received by the Public Works & Development Department, staff will then sign, date, and email the Business Permit and any related documents to the applicant.

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Who can I contact if I have questions?

For general questions regarding the application process, help with completing the application:

Department	Contact	Phone	e-mail
Public Works & Development	Planning/GIS Technician	709-489-0211	planning@townofgfw.com

For permits required for renovations or additions and signage:

Department	Contact	Phone	e-mail
Public Works & Development	Permits	709-489-0427	permits@townofgfw.com

For support to help identify opportunities for growth and future sustainability:

Department	Contact	Phone	e-mail
Community Services	Economic & Business Development	709-489-0442	business@townofgfw.com

Cashier

Department	Contact	Phone	e-mail
Corporate Services	Cashier	709-489-0402	cashier@townofgfw.com

Fire/Life Safety and Building Accessibility:

Department	Contact	Phone	e-mail
Service NL.	Barry Porter, DAT	709-256-1420	BarryPorter@gov.nl.ca

Is there a business tax charged for Commercial Businesses?

BUSINESS TAX			
Classification	Tax Code	Rate	Min. Tax
General Business	1	8.5 mils	\$250
Personal Care Homes	1A	4.0 mils	\$5,000
Bowling Alley	2	4.25 mils	\$1,000
Physiotherapy/Massage Therapy	2A	20.0 mils	\$1,000
Pharmacies	3	25.0 mils	\$2,000
Oil Companies, Real Estate, Insurance, Broadcasting Stations and Towers, Professional Offices, Special Services, Special Institutional	4	35.0 mils	\$250
Physician Practices	4A	30.0 mils	\$250
Finance Companies	5	60.0 mils	\$5,000
Chartered Banks	6	125.0 mils	\$50,000
Credit Unions and other financial institutions	6A	125.0 mils	\$30,000
Dept. Stores/Grocery stores who have four or more of the following departments: Sporting Goods, Pharmacy, Dry Goods, Restaurant, Food/Deli, Groceries, Clothing, Electronics, Automotive, Hardware, Photo Development or freestanding building in excess of 25,000 square feet	7	35.0 mils	\$99,000
Wholesale and Distribution Companies	8	15.0 mils	\$2,000
Home Based Businesses	9		
Basic/Short Term Rentals	Class 1		\$250
Insurance/Professional/Trades	Class 2		\$350
Cleaning/Contractors Construction/Trucking	Class 3		\$500
Utilities, Television Providers and all businesses with no fixed place of business.	10	2.5% of Revenue	\$500

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Can a Business Permit be revoked?

As per Section 3.6.9 (6) Development Permit and Policy #E-16 Permit Revocation Process (attached), the Town of Grand Falls-Windsor can revoke a permit for failure by the holder to comply with these regulations or any condition attached to the permit or where the permit was issued in error or was issued on the basis of incorrect information.



P.O. Box 439, 5 High Street, Grand Falls-Windsor, NL A2A 2J8

Phone: (709) 489-0211 Fax (709) 489-0465

planning@townofgfw.com www.grandfallswindsor.com

Permit #: _____

Date Received: _____

Permit Fee: _____

Application for Commercial Business Permit

1. CONTACT INFORMATION (To be completed by Applicant)

Applicant(s) Name: _____ Business Name: _____

Mailing Address: _____ Business Address: _____

Postal Code: _____ Postal Code: _____

Telephone: _____ Cell: _____ Telephone: _____ Cell: _____

Fax: _____ Fax: _____

E-mail: _____ E-mail: _____

Property owner (if different from applicant): _____

Mailing Address: _____ Telephone: _____

Postal Code: _____ E-mail: _____

2. BUSINESS INFORMATION (To be completed by the Applicant)

(Attach any additional materials, maps, correspondence, surveys, plans, etc.)

Location of property: _____

Description of Commercial Business: _____

Days and hours of business operations: _____

Square footage of business (attach floor plan): _____

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3. BUSINESS DESCRIPTION (To be completed by Applicant)

(Attach any additional materials, maps, correspondence, surveys, plans, etc.)

Number of On-Site Parking Spaces (attach site plan): _____ Proposed Start-up Date: _____

Will there be any renovations to the proposed space? ___ Yes (refer to Section B on reverse) ___ No

If Yes, please indicate what renovations and supply copy of plans.

Commercial Business Application Checklist

SECTION A: TOWN REQUIREMENTS

- Commercial Business Application Form completed in full
- Floor Plan of proposed business space indicating size of space and any other relevant information.
- Submit Commercial Business Application Form and Floor Plan to the Cashier's Office, Town Hall, along with payments of \$25 for Administration fee and \$100 Occupancy Inspection fee.
- (if applicable) Discretionary Use Process fee of \$150 to be made payable to the Cashier's Office.
- Contact Public Works & Development Department for assistance in the Discretionary Use Process.

Note: Fees paid to the Town do not include fees to be paid to Service NL.

SECTION B: SERVICE NL REQUIREMENTS

For proposed commercial businesses that will involve building renovations and/or change of use or ownership:

- Complete in full an Application for Building Permit.
- Submit completed Application to the Public Works & Development Department.
- Contact Barry Porter (709-256-1436) or barryporter@gov.nl.ca for Service NL requirements.
- Complete and submit, to Service NL, required forms and plans.

The Business Permit is issued in conjunction with the Occupancy Permit. Prior to the opening of a business in a commercial space, approval is required from Service NL and from the Town regarding a Change in Occupancy.

An Occupancy Permit will be issued upon approval from Barry Porter (Service NL) and Dave Gardner (Town's Building Inspector).

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I hereby submit this application and confirm that the information supplied is complete and correct. I agree to comply with all Municipal Regulations and By-laws, the latest edition of the National Building Code, ancillary codes, and agree to build in accordance with the plans approved by the Town of Grand Falls-Windsor; and will not commence building/operation without applicable written approval and permits from the Town.

I have read the checklist and have completed all of the above mentioned tasks.

Applicants Signature: **X** _____ Date: _____

NOTE: If the Applicant and the Property Owner are not the same, the signature of the Property Owner is required before the application can be accepted for processing.

Owners Signature: **X** _____ Date: _____

This Section for Public Works & Development Use:

Permit No. _____ Zoning: _____ Type of Business: _____

Permit Granted: _____ Permit Refused: _____ Variance: _____ Discretionary Use: _____

Comments: _____

Staff Signature: _____ Date: _____

Application for Building Permit

Applicant: _____ Property Owner: _____
 Mailing Address: _____ Mailing Address: _____
 City/Town/Prov: _____ City/Town/Prov: _____
 Phone Number: _____ Cell: _____ Email: _____

Address of Construction (If different from Above): _____

Work Type:	
<input type="checkbox"/> Construction - New	<input type="checkbox"/> Addition <input type="checkbox"/> Renovation <input type="checkbox"/> Repairs <input type="checkbox"/> Renewal <input type="checkbox"/> Relocation <input type="checkbox"/> Demolition
Proposed Use:	
<input type="checkbox"/> Residential # of Units _____	<input type="checkbox"/> Commercial/Other <input type="checkbox"/> Fence <input type="checkbox"/> Patio/Deck <input type="checkbox"/> Accessory Bldg
<input type="checkbox"/> Apartment Bldg # of Units _____	<input type="checkbox"/> New Use
Work Description: _____	

Construction Value (Materials & Labour): \$ _____

PLEASE FILL OUT THE APPROPRIATE SECTION (Note: Applications will not be processed until such time as this form is fully completed and all information is received.)

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FENCE (Property owner must ensure that all fences are erected within their legal property boundaries)				
Height:	Rear _____	Front _____	Left _____	Right _____
Type of Material:	_____			

PATIO/DECK				
Location/Size:	Rear _____	Front _____	Left _____	Right _____

ACCESSORY BUILDING				
<i>(Please include plot plan from a licensed Surveyor showing the location of the proposed accessory building)</i>				
Building Size:	Length _____	Width _____	Height(from grade to peak) _____	
Land Description:	Frontage _____	Rear _____	Right Side _____	Left Side _____
Are there any other accessory buildings on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicated size _____				
Indicate the size of the main dwelling _____				
Are there any easements (power lines, telephone lines) in the vicinity of the proposed accessory building? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Are there any water or sewer lines in the vicinity of the proposed accessory building? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Distance from principle building to proposed accessory building _____				
Distance from interior line to proposed accessory building _____				
Distance from exterior line to proposed accessory building _____				
Distance from front line to proposed accessory building _____				
Distance from rear line to proposed accessory building _____				
Distance from easement (power line) to proposed accessory building _____				

NEW RESIDENCE, EXTENSION or RENOVATIONS	
REQUIREMENTS: For residential construction of 46 sq.m. (495 sq.ft.) or more, this application must be accompanied by:	
1 Digital and 1 Paper copy of scale drawings consisting of four (4) elevations, foundation plan, floor plan, wall sections and any associated details.	
1 Digital copy of Plot Plan showing the location of the building. Plot plan to bear the stamp of a license Surveyor.	

COMMERCIAL, INDUSTRIAL, INSTITUTIONAL	
REQUIREMENTS: For new construction, renovations, extensions or change of occupancy:	
Contact Digital Government & Service NL Phone: (709) 256-1436 Email: barryporter@gov.nl.ca	
1 Digital and 1 Paper copy of scale drawings consisting of four (4) elevations, foundation plan, floor plan, wall sections, electrical, mechanical, site plan and associated details.	
1 Digital copy of Plot Plan showing the location of the building. Plot plan to bear the stamp of a license Surveyor.	

I do solemnly declare that the information herein contained in the said application are true and correct to the best of my knowledge.

Print Name: _____ Signature: _____ Date: _____

***IMPORTANT: Please refer to appropriate pamphlet for minimum and maximum requirements.**
SEE REVERSE SIDE FOR FEES AND CONDITIONS

Residential General Permits

General Repairs (Over \$2000)	\$55.00
- Windows	
- Siding	
- Reshingling	
- Demotition	
Fence, Patio/Deck	\$30.00
Accessory Building	\$55.00
Permit Renewal	\$30.00

New Residence, Extension or Renovations Permits

New House

Main Floor	\$3.00/sq.m.
Upper Level	\$1.75/sq.m.
Finished Basement	\$1.20/sq.m.
Attached Garage	\$1.75/sq.m.

Extension \$3.00/sq.m.

Renovations, New Undeveloped Basement, Frost Walls & Building Relocation

(up to \$ 10,000.00)	\$150.00
(over \$ 10,000.00)	\$150.00 + \$2.25 / \$1,000.00 of construction value over \$ 10,000.00
	Minimum \$100.00

Additional visits \$100.00

Commerical, Industrial, Institutional Permits

<u>New Building, Extension</u>	(up to \$ 100,000.00)	\$500.00	
	(over \$ 100,000.00)	\$500.00 + \$5.00/\$1,000.00 of construction value over \$100,000.00	
<u>Renovations, General Repairs</u>	(up to \$ 50,000.00)	\$175.00	
	(over \$ 50,000.00)	\$200.00+ \$5.00/\$1,000.00 of construction value over \$50,000.00	

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Accessory Buildings and/or extensions to

- Mobile shelters, tractor trailer containers are not permitted to be used as accessory buildings \$150.00

Demolition \$10/100 sq.m.(min. of \$25)

Patio/Deck/Fences \$30

Occupancy Permit \$300 Deposit (refundable upon receipt of Occupancy Permit if obtained before occupancy) less occupancy Inspection fees of \$50 (main floor) & \$15 (subsidiary apartment)

Change in Occupancy \$150.00

Permit Renewal \$50.00

Driveways / Paved Parking Lots / Landscaping \$2,500.00 (Security Deposit) refundable if completed within 1 year less \$100.00

Additional visits \$100.00

** Permit fee structure subject to change*

FOR APPROVAL (OFFICE USE ONLY)

Checklist

1 Digital and 1 Paper copy	<input type="checkbox"/>	Does plot plan comply with regulations?	Yes	No	
1 Digital stamped copy of Plot	<input type="checkbox"/>	Final Inspection Completed	Yes	No	
Plan Easements	<input type="checkbox"/>	Occupancy Permit Issued	Yes	No	
Water & Sewer Lines	<input type="checkbox"/>	Government Service Approval	Yes	No	Date: _____
New subdivision grading plan	<input type="checkbox"/>	Completion Date:	_____		

Comments



P.O. Box 439, 5 High Street, Grand Falls-Windsor, NL A2A 2J8
Phone: (709) 489-0211 Fax (709) 489-0465
planning@townofgfw.com www.grandfallswindsor.com

Permit #: []
Date Received: []
Permit Fee: []

Application for Signage Permit

No sign or advertisement shall be erected or displayed within the Planning Area unless a permit for the sign or advertisement is first obtained from the Authority.

CONTACT INFORMATION

Applicant: [] Contractor (if applicable): []
Address: [] Address: []
City/Town/Province: [] City/Town/Province: []
Postal Code: [] Postal Code: []
Telephone: [] Telephone: []
Email Address: [] Email Address: []

SIGN INFORMATION

Proposed Location: [] Property Owner: []
(address) Address: []
Sign Type: []
(refer to section 14 of Policy for Signs and Advertisements)
City/Town/Province: []
Postal Code: []
Telephone: []
Size: Length [] Width [] Height [] Email Address: []
Description: []

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SIGNATURE OF AGREEMENT

I do solemnly declare that the information herein contained in the said application are true and correct to the best of my knowledge.
Applicants Signature: [] Date: []
Property Owners Signature: [] Date: []
(if applicable)

14.11 (xiv) When erecting a sign on property other than your own, written permission from the property owner will be required.

Permit Fee: Illuminated/Non-Illuminated - \$75.00 Temporary Mobile - \$75.00/year
(locations to be approved)

TOWN OF GRAND FALLS-WINDSOR
ENGINEERING & PUBLIC WORKS POLICY # E-16

Policy Subject:	Permit Revocation Process	
Date Approved:	October 1, 2019	Revised:
Purpose:	To establish procedure and guidelines in revoking a permit that had previously been issued to a resident or business.	

Policy

The Town of Grand Falls – Windsor has procedures and guidelines in place to review applications for various permits including but not limited to residential and commercial permits, business permits (including home based business permits), sign installation, etc. (Hereafter referred to as the *permit*). Included in the approval of permits are some strict guidelines and/or conditions which ***must*** be adhered to in order to maintain in good standing.

If there is a concern or condition that puts the resident or business in violation that would potentially have the permit revoked, the following steps are to be followed:

1. A written notice is to be issued to the business/resident that must contain the following:
 - a. The details of the violation(s) (include photos where possible).
 - b. State that corrective action **MUST** be taken and specify a deadline to have such action completed that is determined by the Chief Administrative Officer (CAO) or designate.
 - c. State that the business/resident must provide the Town with their planned corrective action and schedule to have such work completed.
 - d. Note that if correspondence with a satisfactory plan of corrective action is not received by the deadline or the work is not completed by the date set by the CAO or designate, a second notice will be issued.
2. If the business/resident fails to comply with the requirements in 1 above to come in compliance with the permit as issued, a second notice (as referred in 1(d) above) is to be issued. This second notice must contain the following:
 - a. Details of the violation(s) and a description of continuing issues if any (include photos where possible).
 - b. Statement of a due date that applies if certain actions are not completed. The due date is determined by the CAO or designate (3 weeks maximum) and if the matter is not resolved in the opinion of the CAO or designate it will be referred to a Public Works & Planning Committee meeting or a Committee of the Whole (COW) meeting for review.
 - c. The second notice shall include the date of the next applicable Public Works Committee or the Committee of the Whole meeting where the matter will be discussed.
3. If the business/resident fails to comply with the requirements of the second notice then the matter shall be referred to the Public Works Committee or a Committee of the Whole meeting,
 - a. The business/resident has one opportunity to address this issue with Council and ***must*** notify the CAO or designate within 7 calendar days prior to the meeting date set in the letter. Late notifications ***will not*** be accepted. At this meeting the business/resident has an opportunity to present their case if they have met the deadline. There will not be any other opportunities to present their case to Council. The Public Works and Planning Committee or the Committee of the Whole will deliberate the information presented in committee and make its recommendations, in the absence of the business/resident, to Council that will be voted upon in a subsequent public meeting.

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- b. The date and time of the subsequent public Council meeting where the permit is to be discussed and voted upon shall be communicated in writing to the business/individual with not less than 3 days' notice.
4. All Committee members **MUST** be present at the Public Works & Planning Committee meeting (or a majority of Council at COW) where this is addressed. Committee meeting will give an opportunity for discussion or presentations to be given by the business/resident (if conditions are met in 2 above); information provided by the CAO or designate; and the conditions of the original permit will be reviewed and discussed.
5. After the Public Works and Planning Committee (or the COW) review the matter and make a recommendations to Council this recommendation will be referred to a regular or special Public Council Meeting where a vote will occur on revoking (or not) a permit. The vote of Council in a public meeting to revoke a permit is a **FINAL** decision and there will be no further review by Council. If the decision of Council is to apply strict conditions, then these conditions shall be given as a one-time extension with a date set by the Authority where all outstanding issues must be resolved.
6. If Council allows a one-time extension with strict conditions as per 5 above and the business/resident does not comply or meet the deadline, the CAO or designate is to revoke the permit immediately without the matter being put to Council for another vote.
7. Once Council makes a decision, the business/resident has an opportunity to appeal the decision through the Municipal Appeals Board. The appeal information shall be forwarded to the business/resident with the letter that communicates the decision in 5 above.

The Town of Grand Falls-Windsor acknowledges that this policy is to be followed in all cases in the revocation of a permit. However, the Town reserves the right to move directly into step 2 if the CAO or designate determines the violation to be of a serious nature or a life and safety issue. The timelines may be moved up and a special meeting can be called in these cases.

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All information in this process is to be kept confidential and adhere to the *Access to Information and Protection of Privacy Act*.

This procedure is to be considered retroactive and will apply to all permit holders, regardless of when the permit is issued. The Town will take steps to ensure that permit holders are notified of this new procedure before any action is taken by the Town with respect to revocation.



Darren Finn, CAO/Clerk

***Approved by Council at Meeting #515
on October 1, 2019***