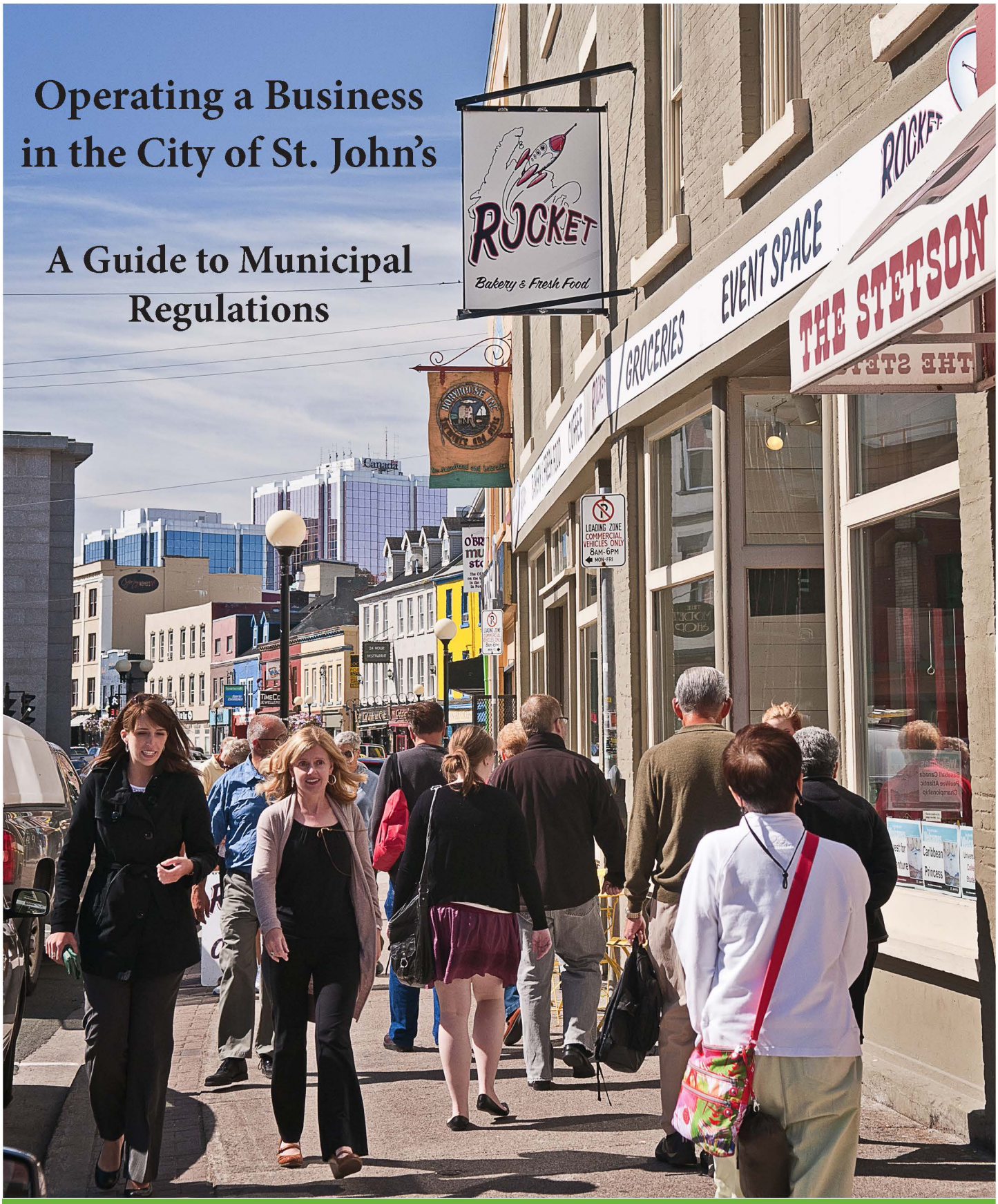
Operating a Business in the City of St. John's

A Guide to Municipal Regulations



ST. JOHN'S

Operating a Business in the City of St. John's

A Guide to
Municipal Regulations

January 2019

LEGAL DISCLAIMER

This guide provides a general overview of the regulations, permits, processes, procedures, and taxes as they apply to businesses in the City of St. John's.

The City of St. John's 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.

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Introduction

The City of St. John's is pleased to present the latest edition of the "How to Guide..." Its purpose is to inform you, in a straight-forward manner, about City regulations, permits, taxation and processes respecting the operation of business.

Following an easy-to-use question & answer format, this guide answers the questions:

- What regulations apply to my business?
- What permits do I need to start my business?
- Is my area zoned for my business?
- What will my tax rate be?
- What applications should I fill out to start my business?

27th Edition

Regulations and Zoning

Q: I'm not sure where to start or who to contact about starting a business?

A: The City of St. John's has a Business Information Centre which is located on the 1st floor of 348 Water Street. Individuals can make use of the Centre's walk-in service from 9:00 a.m. - 4:30 p.m., Monday - Friday. Staff can guide you to the resources to assist with the preparation of business plans, statistics, market research material or assist with Internet searches. A computer work station with access to the Internet is available as well as a small reference library. For more information please consult the City's website at www.stjohns.ca, email business@stjohns.ca or telephone 709-576-8107.

BizPaL is an online service that simplifies the business permit and licence process for entrepreneurs, businesses, and governments. Visit www.bizpal.ca.

Q: Why does City Hall have regulations governing business?

A: Regulations are necessary to ensure:

- public safety and health;
- fairness (regulations treat every applicant fairly);
- certainty;
- security.

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

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

- ***St. John's Municipal Plan and St. John's Development Regulations****;*
- ***St. John's Building By-Law****;*
- ***St. John's Sign-By-Law and Heritage Sign By-Law;***
- ***St. John's Commercial Maintenance By-Law;***
- ***St. John's Electrical By-Law****;*
- ***National Building Code of Canada;***

- ***National Fire Code;***
- ***St. John's Plumbing By-Law,*** and
- **the *National Fire Protection Association's Life Safety Code.***

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, licences, 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 licencing. (see List of Contacts on page 23 for contact information).

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

A: Yes, the *St. John's Development Regulations* regulate land use and development in St. John's. Contained in this document are the zoning requirements that govern how a particular land area will be used. Zones (see Glossary page 26) 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 the Department of Planning, Engineering and Regulatory Services (see List of Contacts on page 23). They can assist you in determining the zoning of your property and establish which uses are permitted and which controls apply to the property.

Q: What do I have to do if my business does not meet the zoning requirements of the property involved?

A: You may seek an amendment of the pertinent regulation. Before seeking an amendment, however, you should discuss your development with the Department of Planning, Engineering and Regulatory Services.

There are two types of amendments:

Rezoning: A change in the zoning of a property to allow a proposed development to proceed. For some rezonings, an amendment to the *St. John's Municipal Plan* is also required. You must either be the property owner or have the owner's written permission to seek a rezoning amendment.

Text Amendment: A change in the text of the *St. John's Development Regulations* to change a standard requirement or regulation.

There is a $300 fee for an amendment to the St. John's Development Regulations (rezoning or text change). Where a proposed amendment to the St. John's Development Regulations requires an amendment to the St. John's Municipal Plan then the additional fee is $1,800. Planning staff can review the development and advise you of the procedure to be followed in seeking an amendment. Applications for rezoning are site-specific and are often initiated by the applicant for a specific development. Applications for a text amendment often have a more general effect throughout the City. They may be initiated by a specific applicant or by the City itself.

Some rezoning applications require an amendment to the *St. John's Municipal Plan*. This must be adopted by Council, reviewed by a Commissioner, and registered by the Provincial Government for the rezoning to occur. The Department of Planning, Engineering and Regulatory Services will advise you if this applies to your specific application.

Q: Can I meet with City staff to discuss my proposed business development?

A: Yes, one very important and useful service available to you is the expert advice of the City's Development Team. Whether you are ready to make an application or just want to explore a development idea, the team is available to sit down and discuss it with you in an informal and confidential setting.

The Development Team is an inter-departmental committee comprised of staff members from the following City departments: Department of Planning, Engineering and Regulatory Services, Legal, and Public Works. Its primary function is to meet with individuals, firms, and developers who wish to make an application to the City for the development of property. The team can provide information on the issues concerning the development of a specific site and the City's requirements for the proposed development. The team will also meet with people who have already made a formal development application and wish to discuss its status in the approval process. Members of the Development Team have arranged their work schedules to allow for one afternoon each week to meet with interested parties.

For further information about the Development Team or to arrange a meeting, please contact the Chief Municipal Planner, Department of Planning, Engineering and Regulatory Services. (see List of Contacts on page 23).

Application Process

Q: Do I have to fill out an application to operate a business in St. John's?

A: Yes. Anyone who wishes to operate a business in St. John's must first complete and submit a **Building/Development Application**, located in Appendix A**.** New construction projects should also complete the corresponding **Development Checklist**. The Building/Development form is also available on the City's website www.stjohns.ca. This application activates the approval process for your business. The Development Checklists can be found in the Living in St. John's section of www.stjohns.ca under the heading City Services, Planning and Development.

Q: What documentation must be submitted in addition to my Building/Development Application and Development Checklist?

A: You should attach any additional materials, i.e., site drawings, deeds, surveys, floor plans, landscaping, and any other relevant information. Staff can advise you of particular information requirements for individual cases.

Q: Where do I submit my applications?

A: You must submit your application to Access St. John's, first floor City Hall, 10 New Gower Street for Regulatory Services approval if you are:

- using an existing commercial space or building for business purposes;
- undergoing interior or exterior renovations;
- installing exterior signs;
- erecting accessory buildings or fences or doing other sitework.

Prior to making an application to Access St. John's, the applicant is to contact and discuss the application with City of St. John's Development staff for the following:

- starting a home-based business;
- constructing commercial, industrial or institutional buildings or constructing extensions to these types of buildings;
- changing the type of use of a building if that building is not zoned to allow the proposed use.

If you are unsure which division will process your application a call to either will direct you in the appropriate direction (see List of Contacts on page 23).

Q: Do I need a permit for mobile vending?

A: A permit is required to conduct sales from a table, stand, cart, or vehicle outdoors, on a public street or on private commercial property. Submit to Access St. John's a completed Mobile Vending Permit Application Form located in Appendix B. The form is also available on the City's website www.stjohns.ca.

Q: Do I need a licence to conduct a special sale from a temporary business location?

A: Yes. A person or business that does not have a permanent base of operations in St. John's who wants to sell goods or merchandise temporarily from a premises is required to first obtain a Transient Dealer's license to do so. The license fee is $517.50. Telephone Access St. John's at 311 or 709-754-CITY (2489) for additional information.

Examples: Jewelry auctions, hot tub sales or selling of leather goods from a temporary location.

Q: Is there a fee associated with the Building/Development Application?

A: Yes, the fee is determined by the nature of your application.

Planning and development fees for applications processed under the St. John's Development Regulations range from $150 to $300. The complete fee schedule can be found in the Living in St. John's section of www.stjohns.ca under the heading City Services, Planning and Development. Some of the common application processing fees are as follows:

- General Application Fee $150
- Discretionary Use $300 (see Glossary page 26)
- Extension of Non-Conforming Use $300 (see Glossary page 27)
- Change of Non-Conforming Use $300 (see Glossary page 27)

Inspection Services fees and rates are as follows:

Permit/License Type	Fee
Building and Demolition Permits	
For all buildings: new construction, additions, alterations, renovations, repairs including accessory buildings and miscellaneous structures	*$9.00 per $1,000 of construction value (Minimum Permit: $50.00)*
Estimated construction value up to $100,000 *Estimated construction value over $100,000*	*$9.00 per $1,000 of first $100,000* *$7.20 per $1,000 for every $1,000 after*
Permit Renewals	*$50.00*
Working without a building permit	*Double permit fee*
Signs *Illuminated* *Non-illuminated* *Mobile signs* *Mobile sign company license*	 *$40.00 + 1% of cost of sign* *$20.00 + 1% of cost of sign (Minimum Permit: $50.00)* *$48.00 for 6 months* *$25 / year*
Change of Occupancy Permit *(submit Building Permit and Development Application Form to obtain permit)*	*$50.00*
Premature Inspection/Call-Back Penalty	*$200.00*
Conditional Occupancy Permit *(fee will reflect cost of outstanding items)*	*$500.00 minimum*
Plumbing Permits *For each new fixture installed or roughed-in, include special fixture* *For each plumbing renovation permit* *For the connection of existing plumbing system to each City water or sewer service* *Water Turn On Fee* ***Plumbing License Fee:*** *Journeyman Plumber* *Contractor*	 *$16.80* *$38.40* *$19.20* *$60.00* *$35/year* *$220/year*
Electrical Permits, *Minimum Permit Fee* *For all electrical work the fee is based on the total cost of the electrical work being completed as follows:* *$2,000 or less* *$2,001 to $5,000*	*$242* *$242* *$242*

Plus for each $100 over $2,000	*$2.42*
$5,001 to $50,000	*$314.60*
Plus for each $100 over $5,000	*$1.21*
$50,000 to $1,000,000	*$859.10*
Plus for each $100 over $50,000	*$0.94*
$1,000,001 to $3,000,000	*$9,482*
Plus for each $100 over $1,000,000	*$0.33*
Over $3,000,000	*$15,532*
Plus for each $100 over $3,000,000	*$0.12*
Electric License Fee:	
Journeyman Electrician	*$35/year*
Contractor	*$220/year*
***Mobile vending Licenses** (submit a Mobile Vending Permit application form Appendix B)*	
Table Sales	*$250/year*
Push Carts/ Motorized Vehicles	*$500/year*
Bicycles	*$100/year*
Temporary (1-30 days maximum)	*$250/year ($200 refundable deposit)*
Amusement Machine Licenses	
Establishment License (per machine)	*$10/year*
Operator's License	*$500/year*
Transient Dealers Licenses	*$517.50/year*
Lodging House Licenses	*$100/year*

Q: Are permits required to operate a business?

A: Various permits are required for the construction, addition, renovation and repair of commercial buildings. Permits, once issued, allow for the necessary follow-up inspection to ensure that work is undertaken according to the proper code or standard. For further information visit the Permits and Regulations section of Doing Business at www.stjohns.ca. When all approvals are in place you will be issued a Change of Occupancy Permit.

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, licences, 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. (see List of Contacts on page 25 for contact information).

For businesses, to help you determine what documents you need for the different levels of government - municipal, provincial, and federal, please use the BizPal Online Business Permits and Licenses Service provided at: http://www.stjohns.ca/doing-business/starting-or-operating-business/bizpal.

Q: Does my commercial development require a professional engineer/architect stamp?

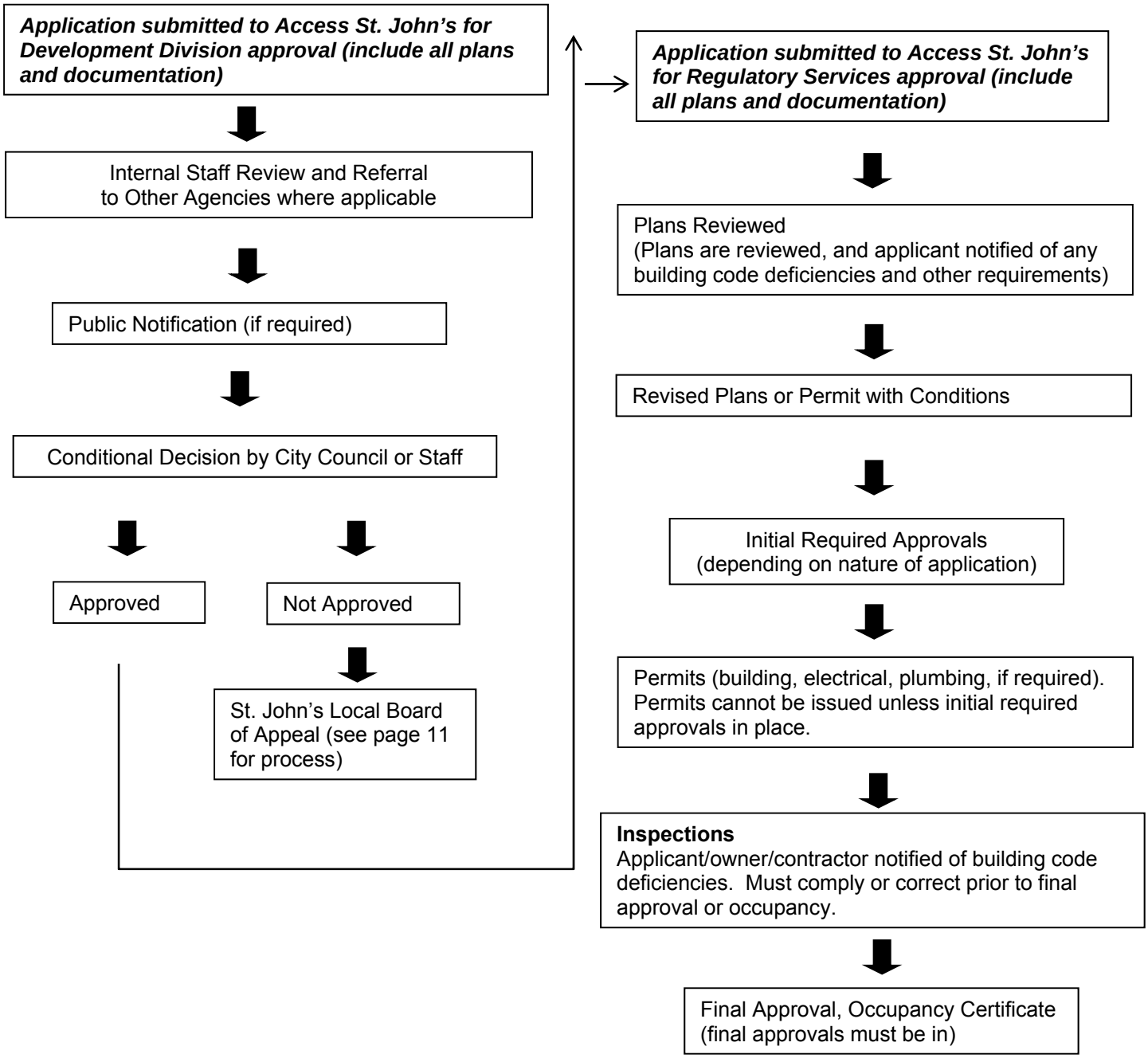
A: The National Building Code of Canada requires that all new construction, renovations or extensions exceeding 600 m2 in building area or three storeys in building height must bear the seal and signature of a professional engineer or architect registered in the Province of Newfoundland and Labrador. Other smaller projects may also be deemed to meet this requirement as determined by the building inspector. For further information on permits and regulations, visit the Doing Business section of www.stjohns.ca under the heading Starting or Operating a Business.

Q: How does the approval process work and how long does it take?

A: For an overview of the approval process please see page 10.

Applicants should allow adequate time for the application process, particularly if other agencies/departments are involved. The length of time involved in processing an application can vary depending on the application.

Building and Development Application Approval Process



Q: What if Council/staff does not approve my application?

A: If Council or authorized staff do not approve your application, you have the right to appeal the decision to the St. John's Local Board of Appeal. However, an appeal can only be initiated if the rejection of the application is made under the *St. John's Development Regulations*. The appeal must be submitted to the Secretary of the Appeal Board within fifteen (15) calendar days from the date on which the decision was made or the date the appropriate staff decision appears in the Council agenda.

The *St. John's Development Regulations* stipulate that the Appeal Board must meet to hear an appeal no later than 30 calendar days after the appeal has been filed. The regulations also state that the Appeal Board must return a decision, in writing, to both you, as the Appellant, and the City within fourteen (14) calendar days of hearing the appeal. Appeal Application Forms can be obtained from the following department or at www.stjohns.ca:

Office of the City Clerk,
4th Floor, St. John's City Hall

There is a $115 fee for appeals to the St. John's Local Board of Appeal (refunded where appeal is successful).

Q: Where can I get additional information about the approval and appeal processes?

A: Additional information can be obtained from the Office of the City Clerk (see List of Contacts on page 23).

Assessment & Taxation

Q: Will my business be taxed?

A: If you are leasing the space for your business you will not pay commercial tax to the City of St. John's.

If you are the owner of commercial property in St. John's, you will pay a flat property-based tax called Commercial Realty Tax.

For tax information related to home-based business refer to page 16. Additional information pertaining to assessments and taxation can be obtained from the City of St. John's Assessment Division, the Revenue Accounting Division or at www.stjohns.ca.

Q: Are there any special requirements if my business is located in the downtown Business Improvement Area (BIA)?

A: If your business is located in the downtown Business Improvement Area (see Glossary page 26) you will be charged a levy based on the amount and value of the space leased.

Q: How is Commercial Realty Tax for commercial property owners calculated?

A: An assessment process is used to evaluate property for the purpose of calculating taxes. Commercial Realty Taxes are calculated as a percentage of the total assessed value of the property.

Q: How does the assessment process work for commercial property owners?

A: Commercial property assessments in the City of St. John's are calculated on the following:

1. Cost Approach - Reproduction cost new of the buildings, less depreciation, plus the market value of the land.
2. Market Approach - Analysis of sales of comparable properties which have taken place in the market, and application of this data to the subject property.
3. Income Approach - Capitalization of the net operating income of an income producing (rental) property, through the analysis of vacancy, rents, expenses and capitalization rates.

After having determined the values arrived by application of each approach, the Assessor may correlate all of these approaches in the determination of the final value estimate. Different weight may be given to each approach, depending on the degree of applicability on the basis of the type of property and information available.

Q: As a commercial property owner, what happens if I have vacant space in my building?

A: The City of St. John's has designed a vacancy allowance to ensure property owners are not penalized if they have vacant property. Vacancy allowances are based on the leasable area of your property. For example, if an entire property is vacant and being actively marketed you could claim a vacancy allowance for 50 per cent of the total Commercial Realty Tax for the period of the vacancy. To apply for the vacancy allowance commercial property owners must submit the Commercial Property Tax Allowance Claim form found in Appendix C. For further information please email taxation@stjohns.ca.

Q: How often are commercial property assessments conducted for the calculation of the Commercial Realty Tax?

A: Under normal circumstances, a re-assessment is conducted every three years on all property located within the City. If a supplementary assessment is required in the interim, because of a change in value or for another reason that the Assessor may deem necessary, it becomes applicable on the effective date indicated on the Notice of Assessment. Please note your 2019 property assessment is based on the City of St. John's estimate of the actual value of your property on January 1, 2017.

Q: What are the commercial and realty tax rates that I will have to pay?

A: The following table outlines taxes, rates and fees levied by the City of St. John's for 2018. Tax rates are commonly referred to as mil rates, a mil (see Glossary page 26) represents $1 for every $1,000 of assessed value on property.

Tax	Rate/Fee
Commercial Realty	
With water & sewer services	26.1 mils
With either water or sewer service	25.6 mils
Without water & sewer services	25.1 mils
Vacant land	13.05 mills
Utility Tax	2.5% - gross revenue
Accommodation Tax	4% of the amount charged on lodging
Business Improvement Area (BIA) levy Downtown Development area only*	As determined to a maximum of $4,000
Water Rates *(per unit per year)*	
Residential	$605.00
Commercial	$605.00
Water Meter Rates	
Monthly consumption rates	
Per 1,000 gallons	$5.96
Per cubic metre	$1.30
Monthly base charge:	
5/8" meter	$ 29.30
3/4" meter	$ 44.02
1" meter	$ 73.28
1½" meter	$ 146.47
2" meter	$ 233.65
3" meter	$ 467.76
4" meter	$ 747.72
6" meter	$1,461.52
8" meter	$2,337.76
10" meter	$3,359.44
Source: Revenue Accounting Division, City of St. John's	
Notes * A levy collected from businesses located in the downtown area, by the City of St. John's, on behalf of Downtown St. John's. (see Glossary page 25).	

Sample Tax Calculations (for illustrative purposes only)

Commercial Realty Tax

Applicable to commercial property owners. Calculated based on a specific formula. For the most general cases the following formula is used:

Assessed Value of Property x Mil Rate = Annual Tax Amount

For example, if a property is assessed at a value of $500,000 and the applicable mil rate is 26.1 or 2.61%, the annual tax amount would be $12,600.

$500,000 X .0261 = $13,050

Therefore, a mil rate of 26.1 represents $26.10 for every $1,000 of assessed property value.

Q: How often do I pay commercial realty taxes and is there a penalty for late payment?

A: Taxes are payable quarterly in arrears, which means you would pay for January through March in April. There is a late payment interest rate of 1.25% per month, compounded. Commercial water tax is also billed quarterly.

Q: Can my business be exempt from any taxes?

A: Registered charities which operate in a building they own are exempt from Business Realty Tax and only pay the Water Tax on their property.

Commercial property owners can claim an allowance if they lease to a registered charity or a daycare. To apply for the allowance commercial property owners must submit the Commercial Property Tax Allowance Claim form which can be found in Appendix C.

In addition, the *St. John's Real Property Tax Exemption By-law* outlines the properties and businesses that are, or may be, exempt from property taxes. It should be noted that Mobile Vendors, e.g., "fish-and-chip" vans and tables operated at a flea market, are not assessed and, therefore, do not pay taxes. However, they do pay permit fees as outlined on page 7.

Q: Where can I get additional information about assessments and taxation?

A: Additional information pertaining to assessments and taxation can be obtained from the City of St. John's Assessment Division and the Revenue Accounting Division or from www.stjohns.ca. (see List of Contacts on pages 23 and 24).

Home-Based Business

Q: Can I operate a business out of my home?

A: Yes, under certain conditions. City Council has defined two homebased business types - Home Offices and Home Occupations.

Home Office

The guiding principles in the designation of a Home Office are as follows:

The Home Office:

- will not draw clients to the site;
- must be operated by a resident of the dwelling;
- will not employ persons who do not reside in the dwelling;
- will not require the placement of signage on the dwelling or property for the purpose of advertising;
- must be located in the dwelling itself, not an accessory building;
- is limited to a maximum floor area of 20 m² (215 ft²);
- does not involve the wholesale or retail sale of goods;
- does not involve interior or exterior storage or display of goods, materials or equipment.

Examples of Home Offices include a bookkeeper/accounting office and an internet/web page design business.

Home Occupation

The guiding principles in the designation of a Home Occupation are as follows:

The Home Occupation:

- is of a size and type that does not conflict with the residential character of an area;
- draws clients/customers to visit the site;
- must be operated by a resident of the dwelling;
- can employ a maximum of two (2) non-resident persons in addition to the resident. There are no limits placed on the number of staff employed, provided they reside in the same dwelling as the Home Occupation;
- cannot exceed 25% of the floor area of the dwelling or 45 m^2 (484 ft^2) whichever is less;
- must be located in the dwelling itself, however, in certain designated rural zones the use of an accessory building may be considered for approval;

- can involve incidental retail sales provided they are subsidiary to the approved use (e.g., the sales of a craft product made on site);
- does not involve the wholesale sale or storage of goods;
- does not involve exterior storage or display of goods;
- allows signage but it is limited to a single non-illuminated sign not to exceed 2800 cm² (approximately 18" x 24" or 434 in²) in size that is attached to the building;
- requires public notification.

Examples of Home Occupations include hairdressing establishments, music instruction, and esthetic services.

Q: Do I have to fill out an application for a Home Office or Home Occupation?

A: Yes, a Building/Development Application must be completed and submitted to the Development Division of the Department of Planning, Engineering and Regulatory Services for approval of a Home Office or a Home Occupation. A Home Office is considered a Permitted Use (see Glossary page 26) and can be approved at the staff level. A Home Occupation is considered a Discretionary Use (see Glossary page 26) and may be permitted by the St. John's Municipal Council subject to special conditions or controls.

If the Applicant is not the home owner, then the home owner's authorization signature must be obtained before the application can be officially accepted for processing.

Along with the completed Building/Development Application the applicant must include the associated Home Office or Home Occupation Development Checklist. The Development Checklists can be found in the Living in St. John's section of www.stjohns.ca under the heading City Services, Planning and Development. The forms must include the following:

- information on the type of Home Office or Home Occupation proposed;
- the amount of space to be occupied;
- the hours of operation;
- the number of employees proposed for the operation of the business;
- a drawing or sketch identifying the portion of the dwelling to be used for the Home Office or Home Occupation *must* accompany the application.

Q: How is the application for a Home Office processed?

A: After the application for a Home Office has been accepted for processing by the Development Division, it will be reviewed against the requirements of the St. John's Development Regulations. If the application meets these requirements, staff can issue Planning Approval.

After approval by the Development Division the Application will be referred to Access St. John's for review in reference to the National Building Code and any By-Laws of the City of St. John's which may be relevant. If all requirements have been met, then an occupancy permit ($50) will be issued for the Home Office.

Should an application not be approved, the Applicant has the right to appeal the decision to the St. John's Local Board of Appeal (see page 11).

Q: How is the application for a Home Occupation processed?

A: After the application for a Home Occupation has been accepted for processing by the Planning Division, it will be reviewed against the requirements of the St. John's Development Regulations. If the application meets these requirements, then staff will proceed with public notification. The City will advertise the application in the local newspaper and distribute written notices to property owners within a minimum 150 metre radius of the application site. The newspaper and written notices are intended to inform the public that an application for a Home Occupation has been received, provide details of the application, and allow an opportunity for public input.

Council has the discretion of calling a Public Meeting to allow for further public input on the application. Should a Public Meeting be required, properties within a 150 metre radius of the application site will again be notified in writing and notification of the Public Meeting will appear in the local daily newspaper.

If the application is approved by Council, the Applicant will be required to enter into a Development Agreement with the City of St. John's and pay a $200 registration fee. The Development Agreement establishes the terms of Council's approval and is to be signed by both the Applicant and the City Clerk within six (6) months of the date of Council's approval of the application.

Once the Development Agreement is signed, the Application, along with all required plans, will be reviewed by Regulatory Services staff at Access St. John's in reference to the National Building Code and to ensure that all other required approvals are in place.

If an application is not approved by Council, the Applicant has the right to appeal the decision to the St. John's Local Board of Appeal (see page 11).

Q: Is there a fee associated with the application for a Home Office or Home Occupation?

A $150.00 non-refundable fee is required to process an application for a Home Office and a $300.00 non-refundable fee must accompany the application for a Home Occupation.

If the application for a Home Occupation is approved by Council, there is an additional $200 registration fee for the required Development Agreement.

Q: How long does the approval process take?

A: The amount of time involved in processing an application for a Home Office, from acceptance of a completed application form to a decision by Staff, is approximately one (1) week. The amount of time involved for processing an application for a Home Occupation, from acceptance of a completed application form, to a decision by Council, is approximately one (1) month.

Q: Will my tax rates be different if I operate my business out of my home?

A: If your business occupies less than 25 per cent of the area of your home then you will not pay any Commercial Realty Tax and will pay 100 per cent Residential Realty Tax. If your business uses more than 25 per cent of the area of your home it will be considered a mixed use property and charged an appropriate percentage of Residential Realty and Commercial Realty Taxes. A Water Tax is also applied at the residential rate of $605.00 per unit per annum.

Q: Where can I get additional information about assessment and taxes for Home Based Business?

A: Additional information pertaining to assessments and taxation can be obtained from the City of St. John's Assessment Division and the Revenue Accounting Division. (see List of Contacts on pages 23 and 24).

Sample Start-Up Scenario

This scenario is provided to demonstrate how municipal processes, regulations and fees apply to business start-up in the City of St. John's. The process followed by the fictional business described below is applicable only under the circumstances outlined. This scenario is therefore not indicative of the requirements for every business. A business owner should refer to the various sections of this Guide to determine which processes, regulations and fees might apply to their business.

Mr. Smith is establishing a convenience store in the Ropewalk Lane area of St. John's. The store will occupy a 4,000 ft² space in a commercial building with 10,000 ft² of leaseable area. The space was previously used as a retail shoe store. The commercial building is assessed at a value of $500,000. Mr. Smith does not own the building but is leasing the space. He is not undertaking any major renovations however, he is installing an illuminated, exterior 3 x 5 sign.

Q: Is Mr. Smith required to submit an application to establish his business in the City of St. John's?

A: Yes, since Mr. Smith is going to be operating a business in St. John's and undertaking sign changes he is required to submit a Building/Development Application (Appendix A).

Q: Where will Mr. Smith's applications be processed and what fees will he pay?

A: Mr. Smith's application would be submitted to Access St. John's, first floor City Hall. Included with the application Mr. Smith should attach a drawing of the sign. The sign permit cost, as per fee schedule on page 7, will be $40 plus 1% of the cost of the sign (minimum permit fee is $50). In addition, a $50 Change of Occupancy permit fee applies.

Since Mr. Smith is leasing the space, he will not pay taxes to the City of St. John's.

From a City perspective, Mr. Smith has completed all requirements of establishing a business in St. John's. However, there may be provincial and federal regulations which Mr. Smith must comply with. He should visit http://bizpal.ca or contact the following:

Government of Canada (Federal)
For federal government taxation policy and tax related business information regarding such topics as corporate income tax for small business, HST, payroll deductions, sole proprietorships and partnerships, and tax credits please visit: www.cra-arc.gc.ca

Government of Newfoundland and Labrador (Provincial)
The Government of Newfoundland and Labrador administers a number of taxes and offers several tax credits, incentives and benefit programs to business:

- Department of Finance www.fin.gov.nl.ca/fin
- Tourism, Culture, Industry and Innovation www.tcii.gov.nl.ca
- Commercial Registrations Division, Service NL www.servicenl.gov.nl.ca/registries/companies.html
- Government Services Branch, Service NL http://www.servicenl.gov.nl.ca/department/branches/gs.html
- Workplace NL www.workplacenl.ca

Additional Information

Q: Does City Hall provide any financial assistance for business start-up?

A: The City does not provide any form of financial assistance for business start up. However, staff at the St. John's Business Information Centre (contact information located below) can help identify funding programs offered by other agencies.

Q: Does the City of St. John's provide any assistance to small and medium size businesses?

A: Yes, the City provides business information services at the St. John's Welcome Centre which is located on the 1st floor of 348 Water Street. Individuals can make use of the Centres' walk-in service from 9:00 a.m. - 4:30 p.m., Monday - Friday. Some of the business services available include:

- Monthly economic update newsletter;
- Computer workstation with Internet access;
- Statistical information;
- Identification of funding sources;
- Business directories;
- Regulatory/tax information.

For more information please consult the City's website at www.stjohns.ca, email business@stjohns.ca or telephone (709) 576-8107.

Q: Where can I find permit and licence information at the municipal, provincial and federal levels?

A: BizPaL is an online service that simplifies the business permit and licence process for entrepreneurs, businesses, governments, and third-party business service providers. Users simply answer a series of questions on their type of business and BizPaL will automatically generate a list of permits and licences from all levels of government (federal, provincial, territorial and municipal), with basic information on each, as well as links to government sites where users can learn more and, in some cases, apply online. http://bizpal.ca

List of Contacts

City of St. John's

City Hall
St. John's City Hall is located at 10 New Gower Street in downtown St. John's. St. John's City Hall Annex is located at 30 George Street. The St. John's Business Information Centre is located nearby at 348 Water Street next to the Post Office. Free visitor parking for a one-hour period is available in the City Hall parking garage off New Gower Street. Metered parking is available on many surrounding streets. Several Metrobus routes serve the downtown and stop near City Hall. City Hall is wheelchair accessible. It is open weekdays from 9:00 a.m. to 4:30 p.m., except on public holidays.

St. John's Business Information Centre
Economic Development, Culture & Partnerships, Department of Community Services
City of St. John's
348 Water Street
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8107
Facsimile: 709-576-8300
E-Mail: business@stjohns.ca
Web: www.stjohns.ca
Contact: Business & Research Officer

Assessment Division, Finance and Administration
City of St. John's
244 Freshwater Road
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8233
E-Mail: assessment@stjohns.ca
Contact: Manager of Assessments

Access St. John's
City of St. John's
City Hall, 10 New Gower Street
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 311 or 709-754-2489
Facsimile: 709-576-7688
E-mail: service@stjohns.ca
Contact: Manager, Citizen Services

Regulatory Services Division, Department of Planning, Engineering and Regulatory Services
City of St. John's
Third Floor, City Hall Annex
30 George St., P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8049
Facsimile: 709-576-8160
E-Mail: building@stjohns.ca
Contact: Building Inspector on Duty

Development Division, Department of Planning, Engineering and Regulatory Services
City of St. John's
Fourth Floor, City Hall Annex
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8220
Facsimile: 709-576-8625
E-Mail: planning@stjohns.ca
Contact: Development Officer
(or) Chief Municipal Planner

Secretary of St. John's Local Board of Appeal, **Office of the City Clerk**
City of St. John's
Fourth Floor, City Hall
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8429
Facsimile: 709-576-8474
E-Mail: cityclerk@stjohns.ca

Taxation, Revenue Accounting, Finance and Administration
City of St. John's
City Hall
P.O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-8251
Facsimile: 709-576-8162
E-Mail: taxation@stjohns.ca
Contact: Manager, Revenue Accounting

Legal Services, Office of the City Solicitor
City of St. John's
City Hall
30 George St., P. O. Box 908
St. John's, NL A1C 5M2
Telephone: 709-576-6107
Facsimile: 709-576-8561
E-Mail: legal@stjohns.ca
Contact: City Solicitor

Other Agencies

Atlantic Canada Opportunities Agency
John Cabot Building, 10 Barter's Hill
P.O. Box 1060, Station C
St. John's, NL A1C 5M5
Telephone: 709-772-2751
Facsimile: 709-772-2712
Web: www.acoa.ca

Business Development Bank of Canada
Atlantic Place
215 Water Street
St. John's, NL A1C 5K4
Telephone: 709-772-4398
Facsimile: 709-772-2516
Web: www.bdc.ca

Canada Business
Telephone: 1-888-576-4444
Web: www.canadabusiness.ca

Department of Tourism, Culture, Industry and Innovation
Government of Newfoundland & Labrador
West Block, Confederation Building,
P. O. Box 8700
St. John's, NL AlB 4J6
Telephone: 709-729-5600
Facsimile: 709-729-5936
Web: www.tcii.gov.nl.ca

Canada Revenue Agency
Sir Humphrey Gilbert Building
165 Duckworth Street
P.O. Box 12075
St. John's, NL A1B 4R5
Telephone: 1-800-959-5525
Facsimile: 709-754-5928
Web: www.canada.ca/en/services/taxes

FuturPreneur
Common Ground Coworking
30 Harvey Road
St. John's, NL A1C 1B2
Telephone: 709-769 - 1205
Toll free: 1-800-464-2923
Email: sandrews@futurpreneur.ca
Web: www.futurpreneur.ca

Metro Business Opportunities (MBO)
Suite C, Redwood Place
961 Topsail Road
Mount Pearl, NL A1N 3K1
Telephone: 709-738-1626
Facsimile: 709-576-3115
Web: www.mboc.ca

Newfoundland and Labrador Liquor Corporation
85 O'Leary Avenue
St. John's, NL A1B 3V1
Telephone: 709-724-2238
Web: www.nlliquor.com

Newfoundland and Labrador Origination of Women Entrepreneurs
2nd Floor, Regatta Plaza II, 84-86 Elizabeth Avenue
St. John's, NL A1C 1Y7

Telephone: (709) 754-5555
Web: www.nlowe.org

RDÉE Terre-Neuve-et-Labrador
65, Ridge Road, Bureau 245
St. John's, NL A1B 4P5
Telephone: 709-757-2858
Web: www.rdeetnl.ca

Registry of Companies
Government of Newfoundland & Labrador
59 Elizabeth Avenue
P. O. Box 8700
St. John's, NL A1B 4J6
Telephone: 709-729-3317
Facsimile: 709-729-0232
Web: www.servicenl.gov.nl.ca/registries

Service NL
Government of Newfoundland & Labrador
149 Smallwood Drive, Mount Pearl
P. O. Box 8700
St. John's, NL A1B 4J6
Telephone: 709-729-3699
Facsimile: 709-729-2071
Web: www.servicenl.gov.nl.ca

Workplace NL
146 -148 Forest Road
P.O. Box 9000
St. John's, NL A1A 3B8
Telephone: 709-778-1000
Facsimile: 709-738-1714
Web: www.whscc.nf.ca

YMCA Business Planning Program
30 Harvey Road, Suite 2
P.O. Box 21291
St. John's, NL A1A 5G6
Telephone: 709-697-4443
Email: enterprise@ymcanl.com
Web: www.ymcanl.com

GLOSSARY

Business Improvement Area: In 1989 the City passed the BIA By-Law establishing the Downtown St. John's Business Improvement Area (BIA). This area is bounded by Temperance Street in the east to Springdale Street in the west; the Waterfront to New Gower Street; Queen's Road and Duckworth Street. Businesses located in the BIA will be charged a levy as determined to a maximum of $4,000.

Commercial Realty Tax: Municipal tax applied to the owner of property in which commercial operations exist.

Development: The carrying out of any building, engineering, mining, or other operation in, on, over or under land, as well as the making of any material change in the use or the intensity of use of any land, building or premises.

Discretionary Use: A use which may be permitted at Council's discretion, subject to special conditions or controls.

Home Occupation: A secondary use of a Dwelling Unit and/or its Accessory Buildings by at least one of the residents of such Dwelling Unit to conduct a gainful occupation or business activity.

Home Office: A secondary use of a Dwelling Unit by at least one of its residents to conduct a gainful occupation or business activity restricted to office uses which do not involve visitation of clients to the site and no employment of non-residents.

Incidental Retail Sales: Retail sales of a product from the place where the product is made. A retail shop is not permitted as a Home Occupation; however, limited retail sales of a product are permitted as long as they are incidental and subsidiary to the approved use.

Mil: This represents $1 for every $1,000 of assessed value on property. It is used to calculate the property tax rate for residential and commercial properties. For example, a tax rate of 10 mils is equal to 1% of the property value.

St. John's Municipal Plan: A formal Council document setting out policies on land use and development. It is adopted and approved by Council and registered by the Minister of Municipal and Provincial Affairs under authority of the *Urban and Rural Planning Act*. The ***St. John's Development Regulations*** implement the policies of the *St. John's Municipal Plan*.

Non-Conforming Use:	A use of land or a building which existed before the coming into force of the *St. John's Development Regulations* though such use is not now permitted in the zone in which it is located.
Permitted Use:	The legal use of land or buildings in conformity with the *St. John's Development Regulations*, as set forth in the schedule of "Permitted Uses and Zone Requirements" under Section 10.
Zone (or Land-use Zone)	A geographic area of land including buildings and water, drawn on the zoning map, within which there are particular permitted uses, discretionary uses, and development standards. There are residential, commercial, industrial, rural and other zones.

These definitions are provided for information purposes only. The legally binding definitions are set out in the *St. John's Development Regulations* and associated documents.

This guide was prepared by the City's Office of Strategy and Engagement with the assistance of the Department of Planning, Development and Engineering, Financial Management Department, and the Office of the City Solicitor.

To ensure the highest quality information, we welcome your comments or suggestions regarding the guide. Please forward any comments to:

Economic Development, Culture & Partnerships
Department of Community Services
348 Water Street
City of St. John's
P. O. Box 908
St. John's, Newfoundland
A1C 5M2

Telephone: 709-576-8107
Facsimile: 709-576-8300

E-Mail: business@stjohns.ca
Web Site: www.stjohns.ca

APPENDIX A

access 311 stjohns.ca — ONE STOP CITY SERVICE Please Print	**PER - 3003**	**Department of Planning, Engineering and Regulatory Services**

BUILDING/DEVELOPMENT APPLICATION

Property Location — SECTION 1

Civic Address _____

Subdivision Name _____ Lot # _____

Account/Roll # _____ Date (yyyy-mm-dd) _____

Contact Information (please print) — SECTION 2

Applicant _____

Mailing Address _____

Postal Code _____ Telephone (Daytime) _____ (Fax) _____

Email _____

Same As Above ☐

Property Owner _____

Mailing Address _____ City _____ Province _____

Postal Code _____ Telephone (Daytime) _____ (Fax) _____

Email _____

Note: name of property owner must match that listed on the City of St. John's Assessment Roll.

Same as Above ☐ N/A ☐

Contractor/Consultant _____

Mailing Address _____

Postal Code _____ Telephone (Daytime) _____ (Fax) _____

Email _____

PER - 3003	Department of Planning, Engineering and Regulatory Services

Project Information **SECTION 3**

Have you applied for or will you receive Affordable Housing Funding? (Ex. Canadian Housing Mortgage Corporation or Newfoundland and Labrador Housing Corporation) ☐ Yes ☐ No

Is selling price of dwelling less than $275,000 ☐ Yes ☐ No

Building floor area ☐ Project floor area ☐ Property/lot area ☐

Number of on-site parking spaces ___

Please check all that apply:

☐ Site Plan Included

☐ Building Plan Included

☐ Electrical work

☐ Plumbing work

☐ Private well installation (must be drilled)

☐ Private septic installation (GSC approval required)

☐ Culvert installation (must be approved by Roads Division)

Description of project

Estimated cost of land/site development ($)_____

Estimated cost of work on structure ($)_____

PER - 3003	Department of Planning, Engineering and Regulatory Services

Privacy & Security — SECTION 4

Privacy Notice: Collection of Personal information via this form is authorized under the Access to Information and Protection of Privacy Act, 2015 and is needed to process your application. Questions about the collection and use of the information may be directed to the Manager of Regulatory Services, by email: building@stjohns.ca or by phone 709-576-8565.

Security Notice: To protect your personal credit card information please do not send your credit card information by mail or by electronic format. Please call 311 (754-2489) and speak with agent to process your payment.

Applicant Signature of Agreement — SECTION 5

I hereby submit this application and confirm that the information supplied is, to the best of my knowledge, correct. I agree to comply with all City Regulations & By-Laws, agree to develop in accordance with the plans approved by the City of St. John's and not to commence development without applicable written approval and permits from the City of St. John's. In addition, I acknowledge that I have reviewed this application and agree to provide any additional information requested and to pay all applicable fees as noted on the City's fee schedule (www.stjohns.ca). To view these fees, please click on the link below that pertains to your application:

Planning and Development Fee Schedule
Inspection Services Fees and Rates

Note: Where the applicant and property owner are not the same, the signature of the property owner is required before the application can be accepted for processing.

Applicant Signature _____ Date (yyyy-mm-dd)_____

Property Owner Signature _____Date (yyyy-mm-dd)_____

Staff Signature_____ Date (yyyy-mm-dd)_____

Internal Use Only — SECTION 6

Was ownership confirmed via Assessment Roll ☐ Yes ☐ No

If no, application will be held until ownership confirmed.

Fee charges required _____

Please send completed form to:	Access St. John's, City Hall 10 New Gower Street P.O. Box 908 St. John's NL A1C 5M2	Email: service@stjohns.ca Fax: 709-576-7688 Call: 311 or 709-754-2489

APPENDIX B

access 311 stjohns.ca (ONE STOP CITY SERVICE)	PER - 3023	Department of Planning, Engineering and Regulatory Services

MOBILE VENDING PERMIT APPLICATION

CONTACT INFORMATION (to be completed by the applicant) — SECTION 1

Trade Name_____

Applicant Name_____

Mailing Address_____ Postal Code_____

Owner's Name (if different than applicant)_____

Telephone (Home)_____ (Work)_____ (Cell)_____ (Fax)_____

VENDING UNIT INFORMATION — SECTION 2

Number of vending unit(s) applied for at this time_____

Type: _____ Annual _____ Temporary _____ Transient Dealer's License Include duration_____

Description of mobile vending unit(s) (e.g. cart, stand. motor vehicle)
A detailed description indicating exact dimensions and/or photograph(s) must be attached_____

_____

Proposed location of vending business_____

_____

Proposed storage location (approved commercial storage space is available for carts, bikes, vehicles, etc.)_____

_____

PERMIT DETAILS — SECTION 3

Is this a renewal of a previous Permit? Yes _____ No _____ If yes, please state last permit # _____

ADDITIONAL INFORMATION — SECTION 4

The following information must accompany this application:

- Approval from the Provincial Department of Health (for all food items)
- Approval from the Regional Fire Department (for all machines containing a cooking apparatus)
- Certification from a recognized Propane Agency (for all propane installations)
- Payment of applicable fees (licensing period: May 1st – April 30th)

DECLARATION OF APPLICANT (please refer to Section 3) — SECTION 5

I hereby acknowledge that I read this application and state that the information contained herein is correct.

Signature of Applicant_____ Date (yyyy-mm-dd)_____

Please mail completed form to:	Access St. John's, 1st Floor City Hall 10 New Gower Street P.O. Box 908 St. John's, NL A1C 5M2	Call: 311 or 709-574-2489 Where 311 is unavailable, call 709-754-CITY (2489) Fax: 709-576-7688 Email: service@stjohns.ca

ST. JOHN'S
NEWFOUNDLAND AND LABRADOR, CANADA

APPENDIX C

PLEASE PRINT	FM-1004	**Financial Management**

COMMERCIAL PROPERTY TAX ALLOWANCE CLAIM

(COMPLETE ALL FILLABLE AREAS)

PROPERTY DETAILS — SECTION 1

- **If a property has more than one allowance claim, each claim must be submitted separately.**
- **Claims will be only be accepted for the current quarter and the quarter immediately preceding.**
- **Each claim must be for the entire calendar quarter**

Civic Address of Property _____

Account Number _____

Owner's Name _____

Mailing Address _____

City _____ Postal Code _____

CONTACT INFORMATION — SECTION 2

Authorized Representative Name _____

Telephone 1 _____ Telephone 2 _____ E-mail _____

Mailing Address _____

City _____ Postal Code _____

Note: If the Authorized Representative is different than the property owner, this form must be signed by both parties.

COMMERCIAL PROPERTY TAX ALLOWANCE CLAIM PERIODS — SECTION 3

Commercial Property Tax Allowance claims are accepted 4 times per year:

1st Quarter - January 1 to March 31 - Commercial Property Tax Allowance Claim Period
Forms and Documentation are accepted from April 1 – 30

2nd Quarter - April 1 – June 30 – Commercial Property Tax Allowance Claim Period
Forms and Documentation are accepted from July 1 – 31

3rd Quarter -July 1 – September 30 – Commercial Property Tax Allowance Claim Period
Forms and Documentation are accepted from October 1 – 31

4th Quarter - October 1 – December 31 – Commercial Property Tax Allowance Claim Period
Forms and Documentation are accepted from January 1 – 31

Claims for current quarter not submitted during the claim period must be submitted the following claim period. Claims will be only be accepted for the current quarter and the quarter immediately preceding.

FIN-1004	Financial Management

ALLOWANCE CLAIM INFORMATION (commercial leasable area **ONLY**) **SECTION 4**

PLEASE INDICATE THE QUARTER BEING CLAIMED:

1ST QTR January 1 – March 31 ☐ **2nd QTR April 1 – June 30** ☐

3rd QTR July 1 – September 30 ☐ **4TH QTR October 1 – December 31** ☐

Unit/Suite Number (if applicable) _____

Total Leasable Area _____ ☐ sq. feet ☐ sq. metres Area Claimed _____

Occupant Name (if applicable) _____

ALLOWANCE TYPE	SUB-TYPE
Unoccupied Space	☐ No Tenant **(must be actively seeking tenant)** **Include documentation showing it was actually marketed for rent or being made ready to rent.** **Examples: copy of advertisement, copy of real-estate listing agreement, active building permit**
Delinquency – **Claim permitted for one quarter only.**	☐ Tenant Bankruptcy **(Must submit copy of bankruptcy claim)** ☐ Tenant Not Paying any Rent – **Provide documentation showing collection efforts made to recover rent.**
Seasonal	☐ Annual Closing of a Seasonal Business **(maximum six months)** **Documentation indicating the operating dates of the business which could include: print media, brochure or website information are required.**
Exemption	☐ Day Care – **Copy of Daycare License Required** ☐ City of St. John's Tenant ☐ Provincial Government Tenant – **Copy of Lease Required** ☐ Charitable Organization **Charity Reg. # Required** _____

All required information must be attached to the allowance claim form. If not, paperwork which has been submitted will not be processed and will be returned to the property owner or the authorized representative. Claim forms will have to be re-submitted before the claim period closes with required information in order to be processed.

Commercial Property Tax Allowance Claims are governed by the City of St. John's Municipal Taxation Act, SNL 2006 c.C-17.1, as amended and the Commercial Property Tax By-Law. It is the property owner's responsibility to review the applicable legislation and review all claim submissions for accuracy and completeness.

As per the Commercial Property Tax By-Law, the application for vacancy relief shall be submitted to the City within 30 days of the last day of each quarter of the taxation year. A taxpayer who fails to file an application for vacancy relief within the time specified shall be deemed to have filed a nil vacancy relief claim for such quarter. Claims for current quarter not submitted during the claim period must be submitted the following claim period. Claims will be only be accepted for the current quarter and the quarter immediately preceding.

DECLARATION

SECTION 5

NOTE – Required Signatures:

- **Claim submitted by property owner** – signature of property owner mandatory.
- **Claim submitted by authorized representative** – signature of authorized representative AND property owner mandatory for the first claim submission. Once an authorized representative is appointed by the property owner the City will accept the signature of the authorized representative only, unless otherwise notified by the property owner.

I hereby submit this claim and confirm that the information supplied is, to the best of my knowledge, correct. In addition, I acknowledge that I have reviewed this claim and agree to provide any additional information as requested by the City of St. John's.

Property Owner Name/Title (please print)	Signature	Date (yyyy-mm-dd)
Authorized Representative Name/Title (please print)	Signature	Date (yyyy-mm-dd)

Are you selling your commercial property? If so, please ensure claims for vacancy allowance for the immediately preceding quarter are up to date. In the event of a sale, it is the responsibility of the owner to adjust for vacancy allowance upon closing with the purchaser for the current quarter. Claims for current quarter must be claimed by purchaser with written confirmation from Lawyers that the claim was adjusted at sale closing.

Return by mail:
Revenue Accounting Division
City of St. John's
PO Box 908
St. John's NL A1C 5M2

Return by fax:
(709) 576-8162

Return by e-mail:
taxation@stjohns.ca

ST. JOHN'S
NEWFOUNDLAND AND LABRADOR, CANADA

ST. JOHN'S