

# Town of Bishop's Falls

## Municipal Plan Amendment No. 8, 2023 Development Regulations Amendment No. 10, 2023

### FAQ

#### WHAT ARE THE AMENDMENTS TRYING TO ACHIEVE?

The amendments are designed to achieve the following:

1. Create a new “Commercial Tourism” zone that will apply to areas that support, or have the potential to support, tourism development in the community, region, and province.
2. Rezone an area on Riverside Drive (see the map below) from Residential Medium Density to Commercial Tourism to permit a potential tourism business to operate at this site. Generally speaking, this area is located in front of the Public Works Depot.



#### HAS COUNCIL RECEIVED AN APPLICATION TO OPEN A BUSINESS AT THE RIVERSIDE DRIVE SITE NOTED ABOVE?

No. The Town owns this land, and to permit a business to operate at the site, Council will need to issue a public notice, in accordance with section 201.2 of the *Municipalities Act, 1999*, to either lease or sell the land. If the amendments are approved, Council will initiate the section 201.2 process, and any resulting business will be subject to the Commercial Tourism zone regulations.

#### HOW IS THE COMMERCIAL TOURISM ZONE STRUCTURED?

The Commercial Tourism Zone’s intent “...is to provide a zone to be applied to lands that are of specific value to tourism and recreation uses and activities. The Commercial Tourism zone allows for a mix of commercial, service, and recreation uses for the benefit of visitors and residents alike.”

The Zone’s permitted uses include:

- Café, which is defined as “...a small or inexpensive restaurant serving light or easily prepared meals, food and refreshments” under the *Development Regulations*.
- Commercial Use, which is restricted to “to the sale or rental of tourism-related goods or services, tourism-related amusement and entertainment, gift/specialty shops, and food and restaurant. The Town shall determine if a Commercial Use is tourism-related based on municipal, regional, and/or provincial tourism plans, strategies, policies, and similar documents.”

# Town of Bishop's Falls

The Zone's discretionary uses include (definitions are included in parentheses):

- Bed and Breakfast (*means a discretionary use for an owner-occupied or owner-managed establishment providing paid temporary accommodation for tourists or the travelling public for up to a maximum of six (6) persons in three (3) guest bedrooms. The establishment may include a self-serving dining area for the use by overnight guests. Catered dining may be considered on a limited-use basis. Other uses that may be considered under this definition include hospitality home and inn*).
- Market, Indoor/Outdoor (*means a use to provide for the seasonal and/or occasional display and sale of goods and services*).
- Commercial Residential (*means any premises such as hotels and motels, hostels, tourist cottages and residential clubs operated to provide sleeping accommodation to the traveling or recreating public and includes services and facilities in connection with the accommodations*).
- Convenience Store (*means a retail commercial establishment supplying groceries, sundries, and other daily household necessities to the immediate surrounding area*).
- Cultural Use (*means a local land use or activity that involves heritage, historic, artistic, musical, customary, ethnic, and social expression of local values for economic, tourism, community, and entertainment benefit and enjoyment*).
- Drinking Establishment, which “...is restricted to small commercial operations such as a craft brewery/distillery, or similar establishments that are licenced under the Liquor Control Act to sell alcoholic beverages to the general public. Entertainment may be provided.”
- Entertainment Use (*means a musical, non-profit theatre, artistic or similar performing and visual arts facility for community, cultural and leisure entertainment*).
- Retail, which is “...restricted to small scale businesses such as grocery, general merchandise stores, convenience, book and liquor stores, and similar commercial goods stores that support and compliment the tourism industry, as determined by the Town based on municipal, regional, and/or provincial tourism plans, strategies, policies, and similar documents”.
- Shop (*means a building or part thereof used for retail trade wherein the primary purpose is the selling or offering for sale of goods, wares or merchandise by retail or the selling or offering for sale of retail services but does not include an establishment wherein the primary purpose is the serving of meals or refreshments, an amusement use, a general garage, or a service station*).

## WHAT IS MEANT BY “PERMITTED USE”?

Permitted uses are activities/developments that Council has determined are authorized in a zone, sometimes with conditions or stipulations as determined by Council or outlined in the regulations. Applications for permitted uses are generally addressed by Town staff. Council approval and public notification are not typically required.

## WHAT IS MEANT BY “DISCRETIONARY USE”?

Before a permit or licence can be issued for any development/activity considered “discretionary,” Council must, assuming it supports the application, publish a notice, at the proponent’s expense, to advise the public of the application. Council must also consider any objections received before reaching a decision. Discretionary use notices are published in the local paper, uploaded to our website, and posted on our Facebook page.

## WHAT IS THE PROCESS FOR AMENDING THE MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS?

The *Urban and Rural Planning Act, 2000* outlines the requirements to amend the municipal plan and development regulations. In general terms, the process includes the following steps:

1. Council directive to commence the legislative process to amend the municipal plan and/or the development regulations.

## Town of Bishop's Falls

2. Initial public consultation.
3. Municipal and Provincial Affairs (Government of NL) review.
4. Council resolution to adopt the amendment(s).
5. Public hearing to consider any written objections. An independent Commissioner is appointed by Council, in accordance with the *Act*, to conduct the hearing.
6. Council must consider the Commissioner's public hearing report, assuming there were written objections, and the hearing proceeded.
7. Council resolution to approve the amendment(s).
8. Amendments are registered with the Department of Municipal and Provincial Affairs.
9. A notice is published in the NL Gazette.

Municipal Plan Amendment No. 8, 2023, and Development Regulations No. 10, 2023, are currently at step two (2). This process is overseen by a certified municipal planner engaged by the Town.

### WHERE CAN I FIND MORE INFORMATION ABOUT THE MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS?

The *Municipal Plan*, including amendments, can be found online at [https://www.bishopsfalls.ca/town\\_hall/municipal\\_council\\_plans\\_strategies](https://www.bishopsfalls.ca/town_hall/municipal_council_plans_strategies).

The *Development Regulations*, including amendments, can be found online at [https://www.bishopsfalls.ca/town\\_hall/policies\\_regulations](https://www.bishopsfalls.ca/town_hall/policies_regulations).