



# Hospitality/Boarding/Lodging House/B & B

## Application Guidelines

*In accordance with the Town of Torbay Municipal Plan and Development Regulations 2015-2025, the following applies to the processing of applications for short term tourist accommodations, boarding houses, lodging houses and bed & breakfast uses.*

*With the coming into effect of the new provincial Tourist Accommodations Act & Regulations, self-contained dwelling units being rented out for short term tourist rental use will need to become registered with the Government of Newfoundland & Labrador by March 2024.*

*To assist Torbay operators, the Town of Torbay has prepared this bulletin to provide guidance on the Town's development application process. Torbay Development Regulations classify short term tourism rentals as 'boarding house', 'lodging house', 'hospitality home' or 'bed and breakfast'. Boarding houses are a permitted use within the RI, RMD and RLL Land Use Zones unless there are 6 or more lodgers or boarders, or, if the use is a bed and breakfast use.*

- *For boarding/lodging/hospitality homes, the submission of an application for review and approval by Town Staff, and subsequent issuance of a development permit is required.*
- *A discretionary use process is required, if 6 or more lodgers or boarders can be accommodated, or for a bed and breakfast uses. This process requires public notification.*

### Submitting your Application:

The applicable application form must be completed and submitted with the following:

1. Applicable non-refundable processing fee.
2. Indication of # of bedrooms & # of guests that can be accommodated and if the owner resides at the property. (*Application forms are available at the Town office or on our website at [www.torbay.ca](http://www.torbay.ca).*)

### Please Note:

The timeframe for processing permitted use applications is only a few days. The timing for discretionary use applications varies depending on the nature of the proposal. Please discuss with the Planning & Development Department prior to submitting an application. For further information please reference the Provincial Government website <https://www.gov.nl.ca/tcar/files/TAA-FAQ-April2023-1.pdf>

### Obtaining an Approval in Principle for a Discretionary Use:

1. Application form, fees will be collected from applicant to initiate the application.
2. Discretionary use applications require Council approval. Prior to Council decision, advertisement/resident notification is required. The application will be advertised in the newspaper and notices will be delivered to residents living in the surrounding area.
3. Please note that the application may have to be reviewed by organizations/departments other than the Town of Torbay. The time period for processing discretionary use applications varies depending on the application.
4. Depending on the application type, the application may be conditionally approved or rejected at Council's full discretion.

### Approval in Principle:

- If the application is approved in principle, the requirements for issuance of a permit/permit to operate/occupancy permit depend on the conditions for permit. For guidelines pertaining to your proposal, please contact the Town of Torbay's Planning & Development Department for further information. If there is any discrepancy between these Guidelines and the Torbay Development Regulations, the Regulations override this information.
- *Any approval from the Town shall not relieve the property owner and/or developer from completing all remaining work in accordance with the approved plans and specifications and any further regulations of the Town or other regulatory agency.*

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