

**THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET**

BY-LAW NO. 031-2022

Being a By-law to impose interim control on the use of lands,
buildings and structures respecting Short-Term Rental Units
within the geographic boundaries of the Township of Wainfleet

WHEREAS Section 38(1) of the Planning Act, R.S.O. 1990, as amended, permits the Council of a municipality to pass an interim control by-law where Council has directed that a review or study be undertaken in respect of land use planning policies and regulations within the municipality or in any defined area or areas thereof;

AND WHEREAS the Council of the Corporation of the Township of Wainfleet passed a resolution on August 4, 2020 directing staff to investigate and report on the policy considerations of regulating short-term housing uses in the Township, including impacts on affordable housing, tourism, public safety and challenges to existing regulations;

AND WHEREAS the Council for the Corporation of the Township of Wainfleet deems it expedient and appropriate to enact such an interim control by-law to temporarily prohibit the new use of certain lands, buildings, or structures related to the establishment of short-term rental units within all geographic areas of the municipality to allow the Township time to continue the review of its land use planning policies and regulations and if deemed appropriate, implement the findings of the review pertaining to Short-Term Rental Units;

NOW THEREFORE the Council of the Township of Wainfleet enacts as follows:

1. For the purposes of this By-law, "**Short-Term Rental Unit**" means all or part of a Dwelling Unit used to provide sleeping accommodations to one or more persons other than the Owner for a period of not more than thirty (30) consecutive days, during which period the Owner does not occupy the Dwelling Unit, and in exchange for payment but does not include a Bed and breakfast, Boarding or Rooming House or Motel or Hotel as those terms are defined in Township By-law No. 034-2014, as amended from time to time.
2. Notwithstanding the permitted uses and regulations of By-law No. 034-2014 and By-law No. 581-78, as amended, only those Short-Term Rental Units in existence as of the date of passing of this by-law and used for such purposes are permitted to be maintained on such properties within the geographic boundaries of the Township of Wainfleet pending completion of the review/study.
3. The establishment of any new Short-Term Rental Unit use during the term of this by-law is prohibited.

4. If any provision or requirement of this by-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.
5. This by-law shall come into force and take effect immediately upon its passing by Council and shall be in effect for a period of one (1) year from the date of enactment unless otherwise extended in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.
6. As this By-law affects all lands within the geographic boundaries of the Township of Wainfleet, there is no Schedule "A" affixed hereto.

BY-LAW READ AND PASSED THIS 21ST DAY OF JUNE, 2022

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK