



Appeals Committee Agenda

July 16, 2024, 5:00 pm

Location: Essex Municipal Building, 33 Talbot Street South

Accessible formats or communication supports are available upon request. Please contact the Clerk’s Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

Pages

1. Call to Order

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Declarations of Conflict of Interest

4. Adoption of Published Agenda

4.1 Appeals Committee Meeting Agenda for July 16, 2024

Moved by _____

Seconded by _____

That the published agenda for the July 16, 2024 Appeals Committee be adopted as presented / amended.

5. Adoption of Minutes

6. Hearing of Appeal

6.1	4965 4th Concession - Wendy Kelley and Gerard Bernauer	1
6.2	1045 Snake Lane - Danne and Robert Whitehead	5
6.3	942 Twin Gables - Donna and George Grant	20
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6.5	583 Pigeon Beach Road - Lucas Tourangeau and Lauren Dewar	32
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6.7	108 Adelaide Street - Devon Elaine DeVogelaere	
6.7.1	February - Administrative Monetary Penalty	46
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6.9	687 Sunset Avenue - Jolanta Banasiak and John Gallo	
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6.10	13083 13th Concession - Waseem Ali and Kanwal Abbas	104
6.11	3464 3rd Concession - Semmour Holding Inc.	111
6.12	993 Kenshore Lane - Krzysztof Gajowski and Nicole Gajowski	117
6.13	147 Allison - Valerie Lynne and Benny Thomas Neilipovitz	126

7. Adjournment

Moved by _____
Seconded by _____
That the meeting be adjourned at _____.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 23, 2024, Wendy Kelley and Gerard Bernauer (the **"Appellants"**) as Owner/Occupants of 4965 4th Concession, Harrow, Ontario (the **"Property"**) were advised by email, that they exceeded the 3 dog limit per household per the Town's Animal Care and Control By-Law 1966.

On January 31, 2024, the Appellant as Owner/Occupant of the Property, were advised by email (the **"Formal Notice"**), dated January 31, 2024, that the subject property did not meet the zoning requirements and as a result, is not permitted to operate a kennel.

On February 26, 2024, by Appeal Request Form (the **"Appeal Request Form"**), the Appellants as Owner/Occupants of the Property, in accordance with s. 3.4.1 of By-Law 1966, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated March 20, 2024, the Appellant as Owner/Occupant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "WE HAVE 20 ACRES AND HORSES, BUT IT IS STILL ZONED RESIDENTIAL. THE ZONING OFFICE DOES NOT THINK IT IS APPROPRIATE TO GET A CHANGE TO THE BY-LAW. THE DOGS ARE MOTHER, FATHER, SON AND DAUGHTER OF THE MOTHER AND FATHER AND HAVE BEEN WITH US FOR OVER 2 YEARS. IT WOULD BE AGAINST THE SPIRIT AND INTENT OF THE BYLAW TO FORCE ONE OF THEM TO BE REHOMED. THEY ARE WELL CARED FOR AND LOVED. THEY DO NOT LIVE IN A KENNEL. THEY LIVE IN A PART OF OUR HOUSE WHEN NOT OUTSIDE, WHICH HAS TEMPERATURE CONTROLS AND ALL AMENITIES OF OUR HOUSE. THEY ARE UP TO DATE ON SHOTS, REGULARLY ATTEND THE VET FOR REGULAR APPOINTMENTS AND ARE VERY VERY MUCH LOVED BY US"



Convening of Appeals Committee

According to s.6.2 of By-Law 2237:

The Appeals Committee shall be delegated the authority to hear and grant exemptions from the relevant provisions of the by-laws listed in Schedule "A" attached hereto and forming part of this By-Law, as may be amended from time to time, and any other by-laws as are hereafter conferred upon or assigned to the Appeals Committee by municipal by-law or statutory authority, upon the conclusion of any administrative processes describe therein.

Reasonable Notice

By this Statement, Wendy Kelley and Gerard Bernauer as Owner/Occupants of 4965 Concession 4, Harrow Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 1966

s.3.4.1		



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☒ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☐ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☐ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____

in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Wendy Kelley and Gerard Bernauer
Address: 4965 Concession 4
Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Gerard Bernauer
Address: 4965 Concession 4
Telephone Number: [REDACTED]

Subject Property Address:

4965 Concession 4, Harrow, Ontario



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

The requirement that we need a recreational kennel licence because we have more than 3 dogs. We have 4 dogs all of whom are pets. Our property is not zoned for any kennel licence.

Reason(s) for Appeal:

Our property is not zoned for a kennel license. We do have 20 acres and horses, but it is still

Zoned residential. The zoning office does not think it is appropriate to get a change to the

By-law and we have been told to therefore ask for this exemption.

The dogs are mother, father, son and daughter of the mother and father and have been with

Us for over 2 years. It would be against the spirit and intent of the bylaw to force one of them

To be rehomed. They are well cared for and loved. They do not live in a kennel. They

Live in a part of our house when not outside, which has temperature controls and all

Amenities of our house. They are up to date on all their shots, regularly attend the to

the vet for regular appointments and are very very much loved by us.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.


Signature of Applicant/Agent


Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

STATEMENT OF APPEALS COMMITTEE HEARING

History

On February 20, 2024, Danne and Robert Whitehead (the “**Appellants**”) as Owners/Occupants of 1045 Snake Lane, Harrow, Ontario (the “**Property**”) were issued a Notice to Muzzle, ordering them to restrain their dog Cheyene in accordance with Part 4 of By-Law 1966.

On March 19, 2024, by Appeal Request Form (the “**Appeal Request Form**”), the Appellants as Owners of Cheyene, 5 year old German Sheppard Mix, in accordance with s. 4.7 of By-Law 1966, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated March 19, 2024, the Appellant as Owner/Occupant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- “MY DOES IS NOT A DANGEROUS DOG AND WE HAVE NEVER HAD ANY PROBLEMS BEFORE WHEN SHE GOT LOOSE. WE’VE LIVED HERE SINCE 2015 AND THERE’S NEVER BEEN A PROBLEM WITH OUR DOGS, THERE ARE MANY COYOTE’S IN OUR NEIGHBOURHOOD SO I’M NOT CONVINCED IT WAS MY DOG.”

Convening of Appeals Committee

According to s. 4.7.1 of By-Law 1966:

Where an Owner of a Dog has been served with a Notice to Muzzle pursuant to the provisions of this By-Law, the Owner of a Dog may apply for a hearing in respect of such Notice to Muzzle.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
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Reasonable Notice

By this Statement, Danne and Robert Whitehead as Owner/Occupants of 1045 Snake Lane, Harrow Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 1966

s.4.6	s.4.7	

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM**Town of Essex Appeals Committee**

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The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

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- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☒ No Fee
- ☐ \$300.00
- ☐ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on Feb 20-2024
in regard to Notice to MAUZZEL.

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Robert Whitehead
Address: 1045 SNAKE LANE HARROW
Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Robert Whitehead
Address: 1045 SNAKE LANE
Telephone Number: [REDACTED]

Subject Property Address:

GORE Rd. HARROW, Ont.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
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Provision(s) of By-Law for Requested Appeal:

PART. 4.6

PART. 4 DANGEROUS DOG.

Reason(s) for Appeal:

My dog is not a dangerous dog and we have never had any problems before when she got loose. We've lived here since 2015 and there's never been a problem with our dogs, there are many coyotes in our neighbourhood so I'm not convinced it was my dog.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

R. Whitehead

Signature of Applicant/Agent

March 19-2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



ESSEX COUNTY ANIMAL CONTROL

DANGEROUS DOG/BITE WORKSHEET

DATE: NOV 22, 2023

ACO: Walsh

PERSON/ANIMAL INJURED:

NAME/DESCRIPTION: LYNN PAHL

ADDRESS: 1424 GORE RD, HARROW, ON N0R1G0

PHONE NUMBER: [REDACTED]

TIME AND DATE OF BITE: LOCATION/ADDRESS BITE OCCURRED:

9:15 AM NOV 22, 2023 @ 1424 GORE RD

TYPE MEDICAL ATTENTION RECEIVED

☐ DOCTOR ☐ CLINIC ☐ HOSPITAL ☐ PARAMEDIC ☒ NONE ☐ VET

REPORTED TO: ☒ OPP ☐ HEALTH UNIT ☐

OFFICER: SEGUIN

INCIDENT #: E231572687

DESCRIPTION OF ATTACKING DOG /OWNER INFO (BREED, COLOUR, OTHER DISTINGUISHING FEATURES)

NAME OF OWNER: DANNE WHITEHEAD

ADDRESS: 1095 SNAKELANE, HARROW

PHONE: [REDACTED]

NAME OF DOG: CHEYENE/ZEKE

BREED: GSD MIX/GSD MIX

COLOUR: TAN/BLACK

AGE: 5YRS/3YRS

SEX: FEMALE/MALE

LICENSE NUMBER:

RABIS TAG NUMBER: 154042565/

DESCRIPTION AND LOCATION ON BODY OF BITE (CUT, PUNCTURE, WOUND, TEAR, BRUISE)

2 DOGS ENTER PROPERTY AT 1424 GORE RD AND ATTACKED AND KILLED 5 CATS

Statement 1: _____ Statement 2: _____ Vet record: _____ Injury Pictures: _____ D/D picture: _____

INTERNAL USE ONLY

Dunbar Bite Severity Scale

Low severity incident	Level 1	Dog growls, lunges, snarls-no teeth touch skin. Mostly intimidation/threatening behaviour
	Level 2	Teeth touch skin but no puncture. May have red mark/minor bruise from dogs head or snout. May have minor scratches from paws/nails. Minor surface abrasions or lacerations.
Medium severity incident	Level 3	Punctures one to three holes, single bite. No tearing or slashes. Victim not shaken side to side. Bruising
High severity incident	Level 3.5	Multiple level 3 bites
	Level 4	Two to four holes from a single bite, typically contact/punctures from more than canines, considerable bruising. Black bruising, tears and/or slashing wounds. Dog clamped down and held and/or shook head from side to side.
	Level 5	Multiple bites at level 4 or above. A concerted repeated attack causing sever injury.
	Level 6	Any bite resulting in death of an animal.

Town of ESSEX
Notice To Muzzle

Name of Dog Owner(s)

To: DANNE WHITEHEAD

Date Notice Hand Delivered: Feb. 20, 2024

-or-

Date Notice sent by Registered Mail: _____

Information on Dog Owner(s) and Dangerous Dog:

Address: 1045 SNAKELANE, ESSEX, ONTARIO

Description of Dog:

Name of Dog: CHEYENE

Breed of Dog: GSD MIX

Age of Dog: 5 YRS

Sex of Dog: FEMALE

Colour of Dog: TAN

Dog Tag Number: N/A

Year of Dog Tag: N/A

Rabies Tag Number: 154042565

Year of Rabies Tag: 12/09/23

Veterinarian's Office That Issues Rabies Tag: HARROW ANIMAL HOSPITAL

The Corporation of the Town of Essex is in receipt of a Declaration duly executed by the Enforcement Officer pursuant to Subsection 4.04 of By-law Number 1966, that the dog described above did on the 22 day of NOVEMBER, 2023

Description of Incident: ENTER PROPERTY AT 1424 GORE RD, ESSEX, ONTARIO, ATTACKED AND KILLED 5 FELINE

Note that the definition for "bite" as provided under Part 4 – Definitions of By-Law Number 1966 means a wound received from the mouth and, in particular, the teeth of an animal, which may results in abrasions, cuts, punctures, tearing of the skin or bruising.

In accordance with Subsection 4.08 of By-Law Number 1966, you are hereby ordered to restrain your dog as follows:

Method of Restraining Dog

4.08.1 Every person who owns a dog for which a Notice of Muzzle has been served, shall:

- a) Immediately upon being served a Notice to Muzzle, keep the Dangerous Dog restrained at all times when the Dangerous dog is on the property of the owner in accordance with the definition for "restrained" as outlined in Section 4.01 – Part 4 Definitions of By-Law Number 1966 – Animal Care and Control By-Law of the Town of Essex.

"Restrained" means being kept inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a dog from coming into contact with persons, other than the owner of the dog, or any other domestic animal or within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from the outside.

"Dangerous Dog" means a dog, which has, without provocation, regardless of age and whether on private or public property:

- a) injured, attacked, bitten or killed a person or a domestic animal;
- b) damaged or destroyed any public or private property;
- c) been declared dangerous or vicious in another municipality in Ontario.

"Without Provocation" means that the dog has not been incited or induced to behave aggressively because:

- a) the dog was acting in defense of an attack on itself by a person or domestic animal;
- b) the dog was acting in defense of its offspring or reacting to a person or domestic animal trespassing on the property of its owner, or,
- c) the dog was being teased, provoked or tormented.

- b) Immediately upon being served a Notice to Muzzle, when the Dangerous Dog is off the property of the owner,:

- i) keep the dog securely on a leash attached to a dog collar or halter with such leash to be a maximum length of one and one-half (1-1/2) metre and of sufficient strength to restrain the dog and keep it from chasing a person or a domestic animal;
- ii) muzzle the dog; and
- iii) ensure the dog is under the control of a person eighteen years of age or older.

"Muzzle" means a humane fastening or covering device made of metal, plastic, leather, or a combination of these materials that does not interfere with the breathing, panting, ability to drink or vision of the dog when fitted and fastened over the mouth of the dog, but that is of sufficient strength to prevent the dog from biting.

- c) Within three business days after being served a Notice to Muzzle, pay to the Town of Essex the additional licence fee for dangerous dogs as outlined in Schedule A of By-Law Number 1966;

d) Notify the Clerk in writing within forty-eight hours of any changes to the residency of the Dangerous Dog;

e) Notify the Clerk in writing within forty-eight hours after the ownership of the Dangerous Dog is transferred to another person;

f) Notify the Clerk in writing within forty-eight hours of the death or euthanasia of a Dangerous Dog and provide proof of such death or euthanasia;

g) Within three business days of being served a Notice to Muzzle, provide proof of personal liability insurance in the amount of not less than Two Million Dollars (\$2,000,000.00) with such insurance policy being endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without providing thirty days written notice to the Clerk of the Town of Essex;

h) Within three business days of being served a Notice to Muzzle, place signage on the property of the dog owner's that clearly warns people of the Dangerous Dog; and

i) The owner of a Dangerous Dog shall be prohibited from allowing such Dangerous Dog to enter a designated off-leash area, that is undesignated by signage and permits dogs to be kept off-leash.

In accordance with Subsection 4.09 of By-Law Number 1986, an application for a hearing with respect to the suspension of a Notice to Muzzle may be made to the Clerk, in writing.

As per Section 4.09.3 of By-Law Number 1986, one year following the issuance of a Notice to Muzzle, or such other time specified by the Appeal Committee as part of an Appeal Hearing with respect to the issuance of a Notice to Muzzle, and upon obtaining proof that the Dangerous Dog has been rehabilitated, the Owner of a dangerous Dog may make appeal to the Appeal Committee for the suspension of the Notice to Muzzle.

Personal information contained in this form is collected under the authority of the Municipal Act, S.O., 2001, as amended, and will only be used for the purposes for which it was collected. Questions about this collection of information should be directed to the Clerk for the Town of Essex, 33 Tolbot Street South, Essex, Ontario N8M 1A8, (519) 776-1536.

This Notice is served upon the owner in accordance with Subsection 4.08 of By-Law Number 1986 on the 30 day of February, 2020.


Signature of Enforcement Officer



ESSEX COUNTY ANIMAL CONTROL SERVICES

Please contact at 519-816-7627 when complete to arrange pick up. You may

also email this statement to

Please describe incident in as much detail as possible. Include date, time, location, pictures etc.

NAME: Rainer Pahl
1424 Gore Rd, Huron, ON N0R1G0
PHONE: [REDACTED]

On November 22, 2023 at about 9:15am I walked out to the garage to feed my cats. I saw a large black dog on my property near the garage. Looking around I saw several dead cats lying on the ground. I went back in the house to inform my wife of the situation. She and several others came out to investigate. I saw a second dog exit my garage. Both dogs left the property heading northeast across the field. I saw that the dogs had broken into the garage through the bottom panels. Entering the garage I saw another dead cat lying on the floor.

Above statements are true and correct to the best of my knowledge.

Signature: Rainer Pahl Date: Dec 13, 2023

My documentation on the incident is 6 pages long. Find below a summary. If more information is required please call. J Pahl



ESSEX COUNTY ANIMAL CONTROL SERVICES

Please contact at 519-816-7627 when complete to arrange pick up. You may

also email this statement to

* Please describe incident in as much detail as possible. Include date, time, location, pictures etc.

NAME: Lynne Pahl
ADDRESS: 1424 Gore Rd. Harrow ON N6R 1G0
PHONE: [REDACTED]

On the morning of Nov 22, 2023 at approx. 0915 we found two dogs on our property hunting our cats. We observed five lifeless cats bloody & mangled. I chased the two large dogs. A large black male who growled at me while standing over one of his kills and a female with traditional German Shepherd coloring. I observed the female with a lifeless cat in her mouth ^{exiting the hole in the garage door,} and the black with an orange pit bull lifeless in his mouth. The dogs broke out two panels of our garage door to hunt the cats inside the garage. It took considerable effort to chase them off. I followed them to the first property on Snake Lane on the west side of the road. That neighbour directed me to 1045 Snake Lane "Bobby" Whitehead as possible owner. I went to Bobby's house and a woman (I believe Mrs Whitehead) answered the door (see back).

Above statements are true and correct to the best of my knowledge.

Signature: Lynne Pahl Date: Dec 7, 2023

She indicated they were her dogs. The conversation was not productive. She said "I was just going to get them" yet she was not dressed in a manner to leave the house nor did she have keys in her hand. She also said "Well it's not like I sent them" and did not apologize or express any remorse when informed her dogs had hunted my cats and killed brutally, five of them. In fact, she lied and said "well your dog barks all night" which is completely false and showed her complete lack of sympathy. I went home to assess the damage. She ~~for~~ came to my home approximately twenty minutes later asking "Where are they?" I told her they weren't here and she said she would send her husband over after work. She went directly home, not continuing to look for the dogs. I observed the female still loose running in the field at 1034. The husband never came over. Late afternoon I observed the dogs running and barking at my dog who I was walking, from behind the west fence of their yard. When this ~~happened~~^{happened} I had four adult house guests 2 small children and my husband who all can give statements if needed ———— X Paul ————

See attached 11 colour and black & white copies of digital image printed from an email, off a cell phone. The images are clearer when viewed digitally yet I have no way to attach or send them. They were taken by one of my house guests that morning



ESSEX COUNTY ANIMAL CONTROL SERVICES

Please contact at 519-816-7627 when complete to arrange pick up. You may also email this statement to animalcontrol@essexcountycan.ca
Please describe incident in as much detail as possible. Include date, time, location, pictures etc.

NAME: Danne Whitehead
ADDRESS: 1045 Spadina Lane Harrow
PHONE: [REDACTED]

My dogs got out went over to
the people that live behind us and
supposedly killed some cats. But
I don't believe they did because they
aren't violent dogs and they wouldn't
let me see what happened

Above statements are true and correct to the best of my knowledge.

Signature: Danne Whitehead Date: Nov 12 / 2023









STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Donna Grant and George Grant (the "**Appellants**") as Owner/Applicants of 942 Twin Gables, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-030, to Cease Operating and Advertising the Property as a Short-Term Rental Unit immediately.

On February 2, 2024, the Appellants as Owner/Applicants of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 02-Feb-2024-006, in the amount of \$1,500.00.

On February 9, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellants as Owner/Applicants of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated February 9, 2024, the Appellants as Owner/Applicants of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "DISAGREE WITH THE ORDER TO REMEDY REF #08-JAN-2024-30.
- DISAGREE WITH FORMAL NOTICE OF ISSUANCE OF PENALTY (MONETARY) \$1500.00 REFERENCE #02-FEB-2024-006 DATE RECEIVED REGISTERED LETTER JAN 6, 2024 SEC 2.1 A)
- SHORT TERM RENTAL UNIT BY-LAW 2025 DOES NOT APPLY TO OUR PREMISES"

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Donna Grant and George Grant as Owner/Applicants of 942 Twin Gables, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 7.1
s. 7.2	s. 8.0	s. 9.0

Reference Number

02-Feb-2024-006

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025 Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice:

Grant, Donna & Grant George

Municipal Address or Legal Description of Property:

942 Twin Gables Dr., Harrow, Ontario N0R 1G0

CON 1 PT LOT 38

Roll Number:

3754 610 000 09600 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **March 04, 2024** on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property or registered mail.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

02 FEB 2024
Date Notice Served


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-030

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

942 Twin Gables, Harrow Ontario

CON 1 PT LOT 38

Roll Number: #3754 610 000 09600

Name of Owner/Occupant (attach separate list if required)

Grant, Donna AND Grant, George

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before January 24, 2024.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1412.

R. Tamminga
Issuing Officer

Date Order Served 08 January, 2024


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☒ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____

in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: DONNA & GEORGE GRANT
Address: 942 TWIN GABLES DR
HARROW ON
Telephone Number: [REDACTED]

Property Owner Information

Owner(s): DONNA & GEORGE GRANT
Address: 942 TWIN GABLES DR.
HARROW ON
Telephone Number: [REDACTED]
email - [REDACTED]

Subject Property Address

942 TWIN GABLES DR.
HARROW ON

- ① DISAGREE WITH THE ORDER TO
REMEDY REF # 08-JAN-2024-30
- ② DISAGREE WITH FORMAL NOTICE
ISSUANCE OF PENALTY (MONETARY) \$1500.00
REFERENCE # 02-FEB-2024-006.
DATE RECEIVED REGISTERED LETTER
JAN 6, 2024
SEC 2.1 a)
- ③ SHORT TERM RENTAL UNIT BYLAW 2025

DOES NOT APPLY TO OUR PREMISES

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.


Signature of Applicant/Agent

Friday February 9, 2024
Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Zubair Shakeel (the "**Appellant**") as Owner/Applicant of 4896 4th Concession, Essex, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-013, to cease advertising a Short-Term Rental Unit without a licence.

On April 11, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-009, in the amount of \$1,500.00.

On April 16, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 16, 2024, the Appellant as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"THE RECENT BOOKING THAT LED TO INFRACTION OCCURRED DUE TO UNINTENTIONALLY LEAVING THE DATES OPEN, WHILE ALL OTHER DATES FOR NEXT 6 MONTHS WERE BLOCKED. THIS UNINTENTIONAL ERROR LED TO AUTOMATED BOOKING BY A GUEST. PLEASE NOTE THAT OVERSIGHT WAS NOT DELIBERATE BUT RATHER A TECHNICAL GLITCH THAT LED UNINTEDED CONSEQUENCE. THE LISTING WAS PROMPTLY REMOVED TO PREVENT ANY FURTHER BOOKINGS THRU AIR BNB SITE.

WE UNDERSTAND AND REMAIN COMMITTED TO ADHERENCE TO ALL BY-LAWS AND ENSURING COMPLIANCE. THE SUBJECT INCIDENT WAS UNINTENTIONAL ERROR. WE GIVE UNDERTAKING TO REMAIN IN COMPLIANCE WITH ALL RULES AND REGULATIONS.

THANKING YOU FOR CONSIDERING OUR REQUEST TO FORGIVE THE PENALTY."



Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Zubair Shakeel, Owner/Applicant of 4896 4th Concession, Essex, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.0
s. 7.0	s. 8.0	s. 9.0

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca**APPEAL REQUEST FORM****Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals☐ Animal Care and Control By-Law No. 1966☐ Kennel Licensing By-Law No. 2221☒ Short-Term Rental Unit By-Law No. 2025☐ Taxicab Licensing By-Law No. 1052☐ Fortification By-Law No. 2210☐ Tree Management By-Law No. 2205**Fee to appeal (Must accompany request)**☐ No Fee☐ \$300.00☒ \$150.00☐ \$150.00☐ \$300.00☐ \$300.00

☐ Order provided on APR 11, 2024,

in regard to SHORT TERM RENTAL INFRACTION, SECTION 2.2d

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: SHAKEEL ZUBAIR

Address: 4896, 4th CONCESSION RD. E, HARROW

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): SAME AS ABOVE

Address: _____

Telephone Number: _____

Subject Property Address:

SAME AS ABOVE

CON 4 PT LOT 17 RP 12R 6462 PART 3



Reference Number

11-April-2024-009

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025

Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice:

Shakeel, Zubair

Municipal Address or Legal Description of Property:

4896 4th Concession Rd

CON 4 PT LOT 17 RP 12R6462 PART 3

Roll Number: 3754 790 000 00700 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **May 13, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

April 11, 2024

Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Provision(s) of By-Law for Requested Appeal:

SEC 7-2 & 7-3 OF BY-LAW # 2025

Reason(s) for Appeal:

The recent booking that led to infraction occurred due to unintentionally leaving the dates OPEN, while all other dates for next 6 months were blocked. This unintentional error led to automated booking by a guest. Please note that oversight was NOT deliberate but rather a technical glitch that led to unintended consequences. The listing was promptly removed to prevent any further bookings thru Air bnb site.

We understand and remain committed to adherence to all by-laws and ensuring compliance. The subject incident was unintentional error.

We give undertaking to remain in compliance with all rules & regulation.

Thanking you for considering our request to forgive the penalty.
For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent

APR / 16 - 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



Reference Number

08-Jan-2024-013

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

4896 4th Concession Rd. RR2. Harrow, Ontario. N0R 1G0
CON 4 PT LOT 17 RP 12R6462 PART 3

Roll Number: 3754 790 000 00700 0000

Name of Owner/Occupant (attach separate list if required)

Zubair Shakeel

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08-24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Lucas Tourangeau and Lauren Dewar (the "**Appellants**") as Owner/Applicant of 583 Pigeon Beach Road, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-026, to cease advertising a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellants as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-008, in the amount of \$1,500.00.

On March 26, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated March 26, 2024, the Appellants as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "REQUESTING APPEAL FOR STRU FINE ON MARCH 8, 2024. I (LAUREN) SPOKE TO MAJA AND RENE REGARDING THE LICENCE AND FINE ON MARCH 22ND. I ADVISED THEM THAT I HAD MADE PAYMENT (\$721) FOR THE STRU PRIOR TO RECEIVING THE PHYSICAL PENALTY. I DID NOT RELIST PROPERTY ON EITHER PLATFORM UNTIL I WAS GIVEN THE OK AND HAD THE LICENCE IN MY POSSESSION. OUR FIRE INSPECTION WAS DONE ON MARCH 8TH WHICH IS THE DATE OF THE PENALTY AND I 100% KNOW THAT I DID NOT ACTIVELY RELIST THIS PROPERTY UNTIL MARCH 24, 2024.
- LISTING ON AIRBNB WAS NOT ACTIVELY RE-LISTED BY MYSELF OR THE OWNER. WE WERE GOING THROUGH THE PROCESS OF OBTAINING A STRU LICENCE SINCE JAN, 2024.



WE WOULD NOT HAVE DONE ANYTHING TO JEAPORDIZE THAT SINCE WE'VE BEEN ACTIVELY RENTING SINCE 2014. WE FOLLOWED ALL DIRECTION ACCORDINGLY AND DID NOT ADVERTISE.

99% OF OUR BOOKING GO THORUGH VRBO AD THAT HAS BEEN SUSPENDED SINCE LATE JAN, 2024. THE AIRBNB LISTING MUST HAVE AUTO RELISTED WITHOUT OUR KNOWLEDGE AND IF THAT IS THE CASE, THEN IT WAS AN HONEST MISTAKE. NO BOOKINGS HAVE BEEN MADE FROM JAN, 2024 TO MARCH 24, 2024.

STRU PAYEMNT HAD BEEN MADE, PRIOR TO RECEIVING THE NOTICE/FINE PERSONALLY. WE ARE IN GOOD STANDING WITH THE TOWN OF ESSEX AND I ASK YOU TO GRANT THIS APPEAL PLEASE AND THANK YOU."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Lucas Tourangeau and Lauren Dewar Owner/Applicant of 583 Pigeon Beach Road, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 3 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 3.1
s. 7.2	s. 8.0	s. 9.0



APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
☐ Kennel Licensing By-Law No. 2221
☒ Short-Term Rental Unit By-Law No. 2025
☐ Taxicab Licensing By-Law No. 1052
☐ Fortification By-Law No. 2210
☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
☐ \$300.00
☒ \$150.00
☐ \$150.00
☐ \$300.00
☐ \$300.00

☐ Order provided on March 8, 2024
in regard to advertising street without a licence.

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Lauton Dewar
Address: 11 Riviera Dr, Amherstburg, ON
Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Lucas Tourangeau
Address: 11 Riviera Dr, Amherstburg, ON
Telephone Number: [REDACTED]

Subject Property Address:

583 Pigeon Beach Rd, Hamar, ON, N0R 1G0



Provision(s) of By-Law for Requested Appeal:

Section 2.2d)

Reason(s) for Appeal:

Listing on AirBnB was not actively re-listed by myself or the owner. We were going through the process of obtaining to STRU License since Jan, 2024. We would not have done anything to jeopardize that since we've been actively renting since 2014. We followed all direction accordingly and did not advertise. 99% of our booking go through VRBO and that has been suspended since late Jan, 2024. The Airbnb listing must have auto re-listed without our knowledge, and if that is the case, then it was an honest mistake. NO bookings had been made from Jan, 2024 to March 24, 2024.*

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent

Mar 26, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.

*STRU payment had been made, prior to receiving the notice/fine personally. We are in good standing with the Town of Essex and I ask you to grant this appeal. Please. And thank you.

Requesting appeal for STRU fine on March 8, 2024.

I (Lauren) spoke to Maja and Renee regarding the licence and fine on March 22nd. I advised them that I had made payment (\$721) for the STRU prior to receiving the physical penalty. I did not relist property on either platform until I was given the OK and had the licence in my possession. Our fire inspection was done on March 8th - which is the date of the penalty and I 100% know that I did not actively relist this property until March 24, 2024.

Please call if you have more questions

Lauren D [REDACTED]



Reference Number
08-March-2024-008

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025 Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Tourangeau, Lucas Daniel
Municipal Address or Legal Description of Property: 583 Pigeon Beach Rd. Harrow, On. N0R 1G0 COLCHESTER CON 1 PT LOT 89
Roll Number: 3754 660 000 20500 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by April 08, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.



Reference Number

08-March-2024-008

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025

Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice:

Tourangeau, Lucas Daniel

Municipal Address or Legal Description of Property:

583 Pigeon Beach Rd. Harrow, On. N0R 1G0

COLCHESTER CON 1 PT LOT 89

Roll Number: 3754 660 000 20500 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **April 08, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

MAR 08 2024

Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-026

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

583 Pigeon Beach Rd. Harrow, Ontario. N0R 1G0

COLCHESTER CON 1 PT LOT 89

Roll Number: 3754 660 000 20500 0000

Name of Owner/Occupant (attach separate list if required)

Lucas Daniel Tourangeau

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1412.

Issuing Officer

Date Order Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, John LeBlanc (the "**Appellant**") as Owner/Applicant of 9939 Concession 9, Essex, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-025, to Cease Advertising the Property as a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellant as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-010, in the amount of \$1,500.00.

On March 20, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated March 20, 2024, the Appellant as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "HELLO AND THANK YOU FOR TAKING THE TIME TO REVIEW THIS MATTER. WE RECEIVED A LETTER WARNING ABOUT ADVERTISING OUR VRBO VACATION RENTAL. WE HAD ABSOLUTELY NO IDEA WE WERE DOING ANYTHING WRONG ON OUR PROPERTY. BUT WE HAD SHUT DOWN OUR AD (WITH PROOF) AND STARTED WORKING ON THE STRU LICENSING REQUIREMENTS FOR APPROVAL. WHILE I WAS OUT OF THE COUNTRY AT MY OTHER 3 PROPERTIES RENTALS I DIDN'T REALIZE THAT WHEN THE AD WAS SHUT DOWN FOR ONLY 3 MONTH SUSPENSION, AND THEN WENT BACK ACTIVE WITHOUT NOTICE. THEN WE RECEIVED THIS LETTER OF APPEAL, OR INFRACTION.
- I AM REQUESTING RELIEF FROM THIS INFRACTION, PLEASE. AS OF LAST YEAR, WE HAVE HAD THE PROPERTY RENTED LONG TERM RENTAL WHO STILL REMAINS IN THE RENTAL. WE ARE NOT TRYING TO RENT OUT AT THIS TIME OR WITHOUT HAVING THE CORRECT STRU LICENCE. THANK YOU."



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, John LeBlanc as Owner/Applicant of 9939 Concession 9, Essex, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 3.1
s. 7.0	s. 8.0	s. 9.0



Reference Number

08-March-2024-010

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Leblanc, John Paul
Municipal Address or Legal Description of Property: 9939 9TH CONCESSION RD, Essex On, N8M 2X5 CON 8 N PT LOT 20
Roll Number: 3754 350 000 02600 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by April 08, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

MR 08 2024

Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca**APPEAL REQUEST FORM****Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application is respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☒ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____
in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant InformationApplicant/Agent: JOHN LEBLANCAddress: 9939 CONCESSION 9 RD, ESSEXTelephone Number: [REDACTED]**Property Owner Information**Owner(s): JOHN LEBLANCAddress: 9939 CONCESSION 9 RDTelephone Number: [REDACTED]**Subject Property Address:**9939 CONCESSION 9 RD, ESSEX.

Reason(s) for Appeal:

Hello, and thank you for taking the time to review this matter. We received a letter warning about advertising our VRBO vacation rental. We had absolutely no idea we were doing anything wrong on our property. But we had shut down our ad (with proof) and started working on the STRU licensing requirements for approval. While I was out of the country at my other 3 properties rentals I didn't realize that when the ad was shut down for only a 3 month suspension, and then went back active without notice. Then we received this letter of appeal, or infraction.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

I am requesting relief from this infraction, please. As of last year we have had the property rented long term rental who still remains in the rental. We are not trying to rent out at this time, or without having the correct STRU License. Thank you.


Signature of Applicant/Agent

3-20-2024.
Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



Reference Number

08-Jan-2024-025

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

9939 9TH CONCESSION RD, Essex Ontario

CON 8 N PT LOT 20

Roll Number: #3754 350 000 02600

Name of Owner/Occupant (attach separate list if required)

Leblanc, John Paul

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before January 24, 2024.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1412.

R. Tamminga
Issuing Officer

Date Order Served 08 January, 2024


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Devon Elaine DeVogelaere (the "**Appellant**") as Owner/Applicant of 108 Adelaide Street, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-001, to cease operating and advertising this property as a Short-Term Rental Unit immediately.

On February 2, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 02-Feb-2024-002, in the amount of \$1,500.00.

On April 19, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 19, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"ON APRIL 11, 2024 AN INFRACTION NOTICE WAS POSTED ON THE DOOR OF MY PROPERTY AT 108 ADELAIDE NOR1G0. THIS PROPERTY HAS BEEN RENTED LONG TERM SINCE THE END OF 2023 AND THE TENANTS RESIDING THERE DID NOT MAKE ME AWARE OF THIS POSTED NOTICE UNTIL APRIL 16, 2024. I IMMEDIATELY CALLED TO LEAVE A MESSAGE AT THE TOWN OF ESSEX BY-LAW DIVISION AND WAS ABLE TO SPEAK WITH RENE TAMMINGA END OF DAY APRIL 17, 2024. HE DIRECTED ME TO COME TO THE OFFICE LOCATED AT 2610 COUNTY ROAD 12 TO COLLECT OTHER NOTICES THAT HAD BEEN SENT TO ME VIA REGISTERED MAIL IN JANUARY 2024, FEBRUARY 2024 AND MARCH 2024, ALL OF WHICH HAD BEEN RETURNED TO SENDER AND NEVER RECEIVED BY ME. ONCE IN POSSESSION OF THESE PAPERS I FILED THE APPROPRIATE APPEALS WITHIN THE STATED TIMELINES.



THE ORIGINAL NOTICE WAS SENT ON JANUARY 8, 2024 AND RECEIVED BY ME ON APRIL 18, 2024 GAVE ME A 16 DAY PERIOD TO TAKE THE REQUIRED ACTION (CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT TERM RENTAL UNIT IMMEDIATELY). AFTER FINALLY RECEIVING THE NOTICE I COMPLIED WITH THE REQUIRED ACTION WITHIN 24 HOURS. I DO NOT BELIEVE THE FINES THAT RESULTED IN FEBRUARY 2024, MARCH 2024 AND APRIL 2024 ARE JUST AS IT WAS CONFIRMED BY RENE TAMMINGA THAT I HAD NOT RECEIVED AND WAS NOT AWARE OF THE ORIGINAL OR FOLLOWING NOTICES UNTIL COLLECTING THEM ON APRIL 18, 2024 AND I HAVE SINCE COMPLIED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Devon DeVogelaere, Owner/Applicant of 108 Adelaide Street, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals Fee to appeal (Must accompany request) ☐ Animal Care and Control By-

Law No. 1966 ☐ No Fee

☐ Kennel Licensing By-Law No. 2221 ☐ \$300.00

☐ Short-Term Rental Unit By-Law No. 2025 ☐ \$150.00

☐ Taxicab Licensing By-Law No. 1052 ☐ \$150.00

☐ Fortification By-Law No. 2210 ☐ \$300.00

☐ Tree Management By-Law No. 2205 ☐ \$300.00

☐ Administrative Monetary Penalty ☐ No Fee

☐ Order provided on Order provided on February 2, 2024 (received April 18 2024) in regard

to section 2.1 a) By Law 2025

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Devon DeVogelaere

Address: 108 Adelaide Street Harrow ON N0R1G0

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): same as above

Address: same as above

Telephone Number: same as above

Subject Property Address: 108 Adelaide Street Harrow ON N0R1G0



Provision(s) of By-Law for Requested Appeal:

Section 2.1 a) By Law 2025

Reason(s) for Appeal:

On April 11, 2024 an infraction notice was posted on the door of my property at 108 Adelaide N0R1G0. This property has been rented long term since the end of 2023 and the tenants residing there did not make me aware of this posted notice until April 16, 2024. I immediately called to leave messages at the Town of Essex By-Law Division and was able to speak with Rene Tamminga end of day April 17, 2024. He directed me to come to the office located at 2610 Country Road 12 to collect other notices that had been sent to me via registered mail in January 2024, February 2024 and March 2024, all of which had been returned to sender and never received by me. Once in possession of these papers I filed the appropriate appeals within the stated timelines

The original notice sent on January 8, 2024 and received by me on April 18, 2024 gave me a 16 day period to take the required action (cease operating and advertising this property as a short term rental unit immediately). After finally receiving the notice I complied with the required action within 24 hours. I do not believe the fines that resulted in February 2024, March 2024 and April 2024 are just as it was confirmed by Rene Tamminga that I had not received and was not aware of the original or following notices until collecting them on April 18, 2024 and I have since complied

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent Date

signed digitally on April 19, 2024

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee.



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reference Number
02-Feb-2024-002

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Devon Elaine Devogelaere
Municipal Address or Legal Description of Property: 108 Adelaide St, Harrow, Ontario NOR 1G0 PLAN 1228 LOT 27 PT LOT 28
Roll Number: 3754 650 000 06800 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

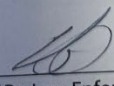
The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **March 04, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

02 Feb 2024
Date Notice Served


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-001

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

108 Adelaide St. Harrow, Ontario. N0R 1G0

PLAN 1228 LOT 27 PT LOT 28

Roll Number: 3754 650 000 06800 0000

Name of Owner/Occupant (attach separate list if required)

Devon Elaine Devogelaere

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24
Date Order Served

M. Diemer
Issuing Officer
[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Devon Elaine DeVogelaere (the "**Appellant**") as Owner/Applicant of 108 Adelaide Street, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-001, to cease advertising a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-002, in the amount of \$1,500.00.

On April 19, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 19, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"ON APRIL 11, 2024 AN INFRACTION NOTICE WAS POSTED ON THE DOOR OF MY PROPERTY AT 108 ADELAIDE NOR1G0. THIS PROPERTY HAS BEEN RENTED LONG TERM SINCE THE END OF 2023 AND THE TENANTS RESIDING THERE DID NOT MAKE ME AWARE OF THIS POSTED NOTICE UNTIL APRIL 16, 2024. I IMMEDIATELY CALLED TO LEAVE A MESSAGE AT THE TOWN OF ESSEX BY-LAW DIVISION AND WAS ABLE TO SPEAK WITH RENE TAMMINGA END OF DAY APRIL 17, 2024. HE DIRECTED ME TO COME TO THE OFFICE LOCATED AT 2610 COUNTY ROAD 12 TO COLLECT OTHER NOTICES THAT HAD BEEN SENT TO ME VIA REGISTERED MAIL IN JANUARY 2024, FEBRUARY 2024 AND MARCH 2024, ALL OF WHICH HAD BEEN RETURNED TO SENDER AND NEVER RECEIVED BY ME. ONCE IN POSSESSION OF THESE PAPERS I FILED THE APPROPRIATE APPEALS WITHIN THE STATED TIMELINES.



THE ORIGINAL NOTICE WAS SENT ON JANUARY 8, 2024 AND RECEIVED BY ME ON APRIL 18, 2024 GAVE ME A 16 DAY PERIOD TO TAKE THE REQUIRED ACTION (CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT TERM RENTAL UNIT IMMEDIATELY). AFTER FINALLY RECEIVING THE NOTICE I COMPLIED WITH THE REQUIRED ACTION WITHIN 24 HOURS. I DO NOT BELIEVE THE FINES THAT RESULTED IN FEBRUARY 2024, MARCH 2024 AND APRIL 2024 ARE JUST AS IT WAS CONFIRMED BY RENE TAMMINGA THAT I HAD NOT RECEIVED AND WAS NOT AWARE OF THE ORIGINAL OR FOLLOWING NOTICES UNTIL COLLECTING THEM ON APRIL 18, 2024 AND I HAVE SINCE COMPLIED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Devon DeVogelaere, Owner/Applicant of 108 Adelaide Street, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reference Number

08-March-2024-002

FORMAL NOTICE

**Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty**

Name of Person Served with Penalty Notice:

Devogelaere, Devon Elaine

Municipal Address or Legal Description of Property:

108 Adelaide St, Harrow On N0R 1G0

PLAN 1228 LOT 27 PT LOT 28

Roll Number: 3754 650 000 06800 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by April 08, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

MAR 28 2024
Date Notice Served

[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals Fee to appeal (Must accompany request) ☐ Animal Care and Control By-

Law No. 1966 ☐ No Fee

☐ Kennel Licensing By-Law No. 2221 ☐ \$300.00

☐ Short-Term Rental Unit By-Law No. 2025 ☐ \$150.00

☐ Taxicab Licensing By-Law No. 1052 ☐ \$150.00

☐ Fortification By-Law No. 2210 ☐ \$300.00

☐ Tree Management By-Law No. 2205 ☐ \$300.00

☐ Administrative Monetary Penalty ☐ No Fee

☐ Order provided on Order provided on Mar 8 2024 (received April 18 2024) in regard to
section 2.2 d) By Law 2025

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Devon DeVogelaere

Address: 108 Adelaide Street Harrow ON N0R1G0

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): same as above

Address: same as above

Telephone Number: same as above

Subject Property Address: 108 Adelaide Street Harrow ON N0R1G0



Provision(s) of By-Law for Requested Appeal:

Section 2.2 d) of By Law 2025

Reason(s) for Appeal:

On April 11, 2024 an infraction notice was posted on the door of my property at 108 Adelaide N0R1G0. This property has been rented long term since the end of 2023 and the tenants residing there did not make me aware of this posted notice until April 16, 2024. I immediately called to leave messages at the Town of Essex By-Law Division and was able to speak with Rene Tamminga end of day April 17, 2024. He directed me to come to the office located at 2610 Country Road 12 to collect other notices that had been sent to me via registered mail in January 2024, February 2024 and March 2024, all of which had been returned to sender and never received by me. Once in possession of these papers I filed the appropriate appeals within the stated timelines

The original notice sent on January 8, 2024 and received by me on April 18, 2024 gave me a 16 day period to take the required action (cease operating and advertising this property as a short term rental unit immediately). After finally receiving the notice I complied with the required action within 24 hours. I do not believe the fines that resulted in February 2024, March 2024 and April 2024 are just as it was confirmed by Rene Tamminga that I had not received and was not aware of the original or following notices until collecting them on April 18, 2024 and I have since complied

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent Date

signed digitally on April 19, 2024

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:



Reference Number

08-Jan-2024-001

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

108 Adelaide St. Harrow, Ontario. N0R 1G0

PLAN 1228 LOT 27 PT LOT 28

Roll Number: 3754 650 000 06800 0000

Name of Owner/Occupant (attach separate list if required)

Devon Elaine Devogelaere

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24
Date Order Served

M. Diemer
Issuing Officer
[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Devon Elaine DeVogelaere (the "**Appellant**") as Owner/Applicant of 108 Adelaide Street, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-001, to cease advertising a Short-Term Rental Unit without a licence.

On April 11, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-005, in the amount of \$1,500.00.

On April 19, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 19, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"ON APRIL 11, 2024 AN INFRACTION NOTICE WAS POSTED ON THE DOOR OF MY PROPERTY AT 108 ADELAIDE NOR1G0. THIS PROPERTY HAS BEEN RENTED LONG TERM SINCE THE END OF 2023 AND THE TENANTS RESIDING THERE DID NOT MAKE ME AWARE OF THIS POSTED NOTICE UNTIL APRIL 16, 2024. I IMMEDIATELY CALLED TO LEAVE A MESSAGE AT THE TOWN OF ESSEX BY-LAW DIVISION AND WAS ABLE TO SPEAK WITH RENE TAMMINGA END OF DAY APRIL 17, 2024. HE DIRECTED ME TO COME TO THE OFFICE LOCATED AT 2610 COUNTY ROAD 12 TO COLLECT OTHER NOTICES THAT HAD BEEN SENT TO ME VIA REGISTERED MAIL IN JANUARY 2024, FEBRUARY 2024 AND MARCH 2024, ALL OF WHICH HAD BEEN RETURNED TO SENDER AND NEVER RECEIVED BY ME. ONCE IN POSSESSION OF THESE PAPERS I FILED THE APPROPRIATE APPEALS WITHIN THE STATED TIMELINES.



THE ORIGINAL NOTICE WAS SENT ON JANUARY 8, 2024 AND RECEIVED BY ME ON APRIL 18, 2024 GAVE ME A 16 DAY PERIOD TO TAKE THE REQUIRED ACTION (CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT TERM RENTAL UNIT IMMEDIATELY). AFTER FINALLY RECEIVING THE NOTICE I COMPLIED WITH THE REQUIRED ACTION WITHIN 24 HOURS. I DO NOT BELIEVE THE FINES THAT RESULTED IN FEBRUARY 2024, MARCH 2024 AND APRIL 2024 ARE JUST AS IT WAS CONFIRMED BY RENE TAMMINGA THAT I HAD NOT RECEIVED AND WAS NOT AWARE OF THE ORIGINAL OR FOLLOWING NOTICES UNTIL COLLECTING THEM ON APRIL 18, 2024 AND I HAVE SINCE COMPLIED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Devon DeVogelaere, Owner/Applicant of 108 Adelaide Street, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reference Number
11-April-2024-005

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025 Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Devogelaere, Devon Elaine
Municipal Address or Legal Description of Property: 108 Adelaide St, Harrow On NOR 1G0 PLAN 1228 LOT 27 PT LOT 28
Roll Number: 3754 650 000 06800 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

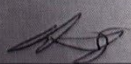
The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **May 13, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

April 11, 2024
Date Notice Served


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals Fee to appeal (Must accompany request) ☐ Animal Care and Control By-

Law No. 1966 ☐ No Fee

☐ Kennel Licensing By-Law No. 2221 ☐ \$300.00

☐ Short-Term Rental Unit By-Law No. 2025 ☐ \$150.00

☐ Taxicab Licensing By-Law No. 1052 ☐ \$150.00

☐ Fortification By-Law No. 2210 ☐ \$300.00

☐ Tree Management By-Law No. 2205 ☐ \$300.00

☐ **Administrative Monetary Penalty** ☐ **No Fee**

☐ Order provided on April 11 2024 (received April 18 2024) in regard to section 2.2d By Law
2025

The undersigned certifies that the information contained herein, on which this
request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Devon DeVogelaere

Address: 108 Adelaide Street Harrow ON N0R1G0

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): same as above

Address: same as above

Telephone Number: same as above

Subject Property Address: 108 Adelaide Street Harrow ON N0R1G0



Section 2.2 d) of By Law 2025

Provision(s) of By-Law for Requested Appeal:

Reason(s) for Appeal:

On April 11, 2024 an infraction notice was posted on the door of my property at 108 Adelaide N0R1G0. This property has been rented long term since the end of 2023 and the tenants residing there did not make me aware of this posted notice until April 16, 2024. I immediately called to leave messages at the Town of Essex By-Law Division and was able to speak with Rene Tamminga end of day April 17, 2024. He directed me to come to the office located at 2610 Country Road 12 to collect other notices that had been sent to me via registered mail in January 2024, February 2024 and March 2024, all of which had been returned to sender and never received by me. Once in possession of these papers I filed the appropriate appeals within the stated timelines

The original notice sent on January 8, 2024 and received by me on April 18, 2024 gave me a 16 day period to take the required action (cease operating and advertising this property as a short term rental unit immediately). After finally receiving the notice I complied with the required action within 24 hours. I do not believe the fines that resulted in February 2024, March 2024 and April 2024 are just as it was confirmed by Rene Tamminga that I had not received and was not aware of the original or following notices until collecting them on April 18, 2024 and I have since complied

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent Date

signed digitally April 19, 2024

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8



Reference Number

08-Jan-2024-001

ORDER TO REMEDY

**Violation of Short-Term Rental Unit Licensing By-Law 2025
Operating/Advertising Without Licence**

Municipal Address or Legal Description of Property: 108 Adelaide St. Harrow, Ontario. N0R 1G0 PLAN 1228 LOT 27 PT LOT 28
Roll Number: 3754 650 000 06800 0000
Name of Owner/Occupant (attach separate list if required) Devon Elaine Devogelaere

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

**CEASE OPERATING AND ADVERTISING THIS PROPERTY
AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.**

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the
issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. **All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.*

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24
Date Order Served

M. Diemer
Issuing Officer
[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jaime and Ryan Patillo (the "**Appellants**") as Owners/Applicant of 123 Howe Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020 to cease operating and advertising this property as a Short Term Rental Unit Licence.

On February 2, 2024, the Appellants as Owners/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 02-Feb-2024-003, in the amount of \$1,500.00.

On April 23, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owners/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 22, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"WE WERE UNAWARE THAT LAW CHANGED IN 2022. WE DID NOT RECEIVE ANY UPDATE IN THE EMAIL OR THROUGH THE TOWN OF ESSEX.

THE 2 REGISTERED LETTERS WERE NOT PICKED UP BECAUSE WE WERE NOT AT OUR HOUSE IN FEB/MARCH AND BY THE TIME I TRIED TO PICK THEM UP, THEY WERE RETURNED.

WE ARE CURRENTLY IN THE PROCESS OF GETTING OUR STRU LICENCE."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Jaime and Ryan Patillo, Owners/Applicant of 123 Howe Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



RECEIVED

APR 23 2024

APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ ~~Short-Term Rental Unit By-Law No. 2025~~
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205
- ☒ Administrative Monetary Penalty

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☒ ~~\$150.00~~
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00
- ☒ No Fee

☐ Order provided on Feb 2, 2024
in regard to 02-Feb-2024-003

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

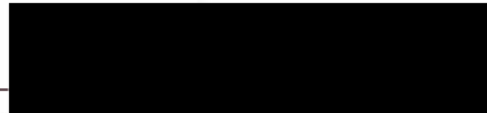
Applicant/Agent:

Jaime Patillo

Address:

180 Patillo Rd Tecumseh, ON
NOR1G0

Telephone Number:



Property Owner Information

Owner(s):

Jaime and Ryan Patillo

Address:

180 Patillo Rd, Tecumseh, ON
NOR1G0

Telephone Number:



Subject Property Address:

123 Howe Ave, Harrow, ON NOR1G0



Provision(s) of By-Law for Requested Appeal:

- Violation of Short-term rental unit By-Law 2025
- operating / Advertising without licence
- Issuance of Administrative Monetary Penalty

Reason(s) for Appeal:

- We were unaware that law changed in 2022. We did not receive any update in the mail or through the Town of Essex
 - The 2 registered letters were not picked up because we were not at our house in Feb/March and by the time I tried to pick them up, they were returned.
 - We are currently in the process of getting our STR Licence.
- For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Je Pablo

Signature of Applicant/Agent

April 22, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



Reference Number
02-Feb-2024-003

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025

Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Ryan & Jaime Patillo
Municipal Address or Legal Description of Property: 123 Howe Ave, Harrow, Ontario N0R 1G0 PLAN 1507 PT LOT 2
Roll Number: 3754 640 000 02200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by March 04, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number
02-Feb-2024 003

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Ryan & Jaime Patillo
Municipal Address or Legal Description of Property: 123 Howe Ave, Harrow, Ontario NOR 1G0 PLAN 1507 PT LOT 2
Roll Number: 3754 640 000 02200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by March 04, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

02 FEB 2024
Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-020

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

123 Howe Ave. Harrow, Ontario. N0R 1G0

PLAN 1507 PT LOT 2

Roll Number: 3754 640 000 02200 0000

Name of Owner/Occupant (attach separate list if required)

Ryan & Jaime Patillo

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024**.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24

Date Order Served

M. Diemer

Issuing Officer

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jaime and Ryan Patillo (the "**Appellants**") as Owners/Applicant of 123 Howe Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020 to cease operating and advertising this property as a Short Term Rental Unit Licence.

On March 8, 2024, the Appellants as Owners/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-003, in the amount of \$1,500.00.

On April 23, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owners/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 23, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"MY HUSBAND AND I WERE NOT AWARE OF THE NEW LAW. WE DID NOT RECEIVE THE FIRST 2 WARNINGS AS THEY WERE SENT BACK TO THE TOWN. WE ARE CURRENTLY IN THE PROCESS OF THE SHORT TERM RENTAL APPLICATION."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reasonable Notice

By this Statement, Jaime and Ryan Patillo, Owners/Applicant of 123 Howe Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Devon Elaine DeVogelaere (the "**Appellant**") as Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020, to cease advertising a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-002, in the amount of \$1,500.00.

On April 19, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 19, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"ON APRIL 11, 2024 AN INFRACTION NOTICE WAS POSTED ON THE DOOR OF MY PROPERTY AT 108 ADELAIDE NOR1G0. THIS PROPERTY HAS BEEN RENTED LONG TERM SINCE THE END OF 2023 AND THE TENANTS RESIDING THERE DID NOT MAKE ME AWARE OF THIS POSTED NOTICE UNTIL APRIL 16, 2024. I IMMEDIATELY CALLED TO LEAVE A MESSAGE AT THE TOWN OF ESSEX BY-LAW DIVISION AND WAS ABLE TO SPEAK WITH RENE TAMMINGA END OF DAY APRIL 17, 2024. HE DIRECTED ME TO COME TO THE OFFICE LOCATED AT 2610 COUNTY ROAD 12 TO COLLECT OTHER NOTICES THAT HAD BEEN SENT TO ME VIA REGISTERED MAIL IN JANUARY 2024, FEBRUARY 2024 AND MARCH 2024, ALL OF WHICH HAD BEEN RETURNED TO SENDER AND NEVER RECEIVED BY ME. ONCE IN POSSESSION OF THESE PAPERS I FILED THE APPROPRIATE APPEALS WITHIN THE STATED TIMELINES.



THE ORIGINAL NOTICE WAS SENT ON JANUARY 8, 2024 AND RECEIVED BY ME ON APRIL 18, 2024 GAVE ME A 16 DAY PERIOD TO TAKE THE REQUIRED ACTION (CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT TERM RENTAL UNIT IMMEDIATELY). AFTER FINALLY RECEIVING THE NOTICE I COMPLIED WITH THE REQUIRED ACTION WITHIN 24 HOURS. I DO NOT BELIEVE THE FINES THAT RESULTED IN FEBRUARY 2024, MARCH 2024 AND APRIL 2024 ARE JUST AS IT WAS CONFIRMED BY RENE TAMMINGA THAT I HAD NOT RECEIVED AND WAS NOT AWARE OF THE ORIGINAL OR FOLLOWING NOTICES UNTIL COLLECTING THEM ON APRIL 18, 2024 AND I HAVE SINCE COMPLIED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Devon DeVogelaere, Owner/Applicant of 108 Adelaide Street, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8
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RECEIVED

APR 23 2024

APPEAL REQUEST FORM**Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
☐ Kennel Licensing By-Law No. 2221
☐ Short-Term Rental Unit By-Law No. 2025
☐ Taxicab Licensing By-Law No. 1052
☐ Fortification By-Law No. 2210
☐ Tree Management By-Law No. 2205
☒ Administrative Monetary Penalty

Fee to appeal (Must accompany request)

- ☐ No Fee
☐ \$300.00
☐ \$150.00
☐ \$150.00
☐ \$300.00
☐ \$300.00
☒ No Fee

☐ Order provided on March 8
in regard to 08-March-2024-003

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent:

Jaime Patillo

Address:

180 Patillo Rd Tecumseh, ON
NOR1G0

Telephone Number:

**Property Owner Information**

Owner(s):

Jaime and Ryan Patillo

Address:

180 Patillo Rd Tecumseh, ON
NOR1G0

Telephone Number:

**Subject Property Address:**123 Howe Ave, Harrow, ON
NOR1G0**Where you belong**



Provision(s) of By-Law for Requested Appeal:

Advertising a short term rental unit
without a licence
- Section 2.2d.

Reason(s) for Appeal:

My husband and I were not aware of
the new law.
We did not receive the first 2
warnings as they were sent back to
the Town.
- We are currently in the process of
the short term rental application.

*For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I
authorize and consent to the use by or the disclosure to any person or public body any
information contained in respect to this request for the purposes of processing this request.*

Signature of Applicant/Agent

June 23, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or
money order is to be made payable to The Town of Essex.



Reference Number
08-March-2024-003

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Patillo, Jaime Lynn; Patillo, Ryan George
Municipal Address or Legal Description of Property: 123 Howe Ave, Harrow On N0R 1G0 PLAN 1507 PT LOT 2
Roll Number: 3754 640 000 02200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by April 08, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

MR 08 2024
Date Notice Served

[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-020

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

123 Howe Ave. Harrow, Ontario. N0R 1G0

PLAN 1507 PT LOT 2

Roll Number: 3754 640 000 02200 0000

Name of Owner/Occupant (attach separate list if required)

Ryan & Jaime Patillo

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024**.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24

Date Order Served

M. Diemer

Issuing Officer

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jaime and Ryan Patillo (the "**Appellants**") as Owners/Applicant of 123 Howe Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020 to cease operating and advertising this property as a Short Term Rental Unit Licence.

On April 11, 2024, the Appellants as Owners/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-007, in the amount of \$1,500.00.

On June 27, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owners/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated June 27, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"WE WERE UNAWARE THAT LAW CHANGED FOR SHORT TERM RENTAL UNITS. WE ARE IN THE PROCESS OF GETTING OUR SHORT TERM RENTAL LICENCE."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reasonable Notice

By this Statement, Jaime and Ryan Patillo, Owners/Applicant of 123 Howe Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM
Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☐ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205
- ☒ Administrative Monetary Penalty

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☐ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00
- ☒ No Fee

☐ Order provided on _____
in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Jaime Patillo
Address: 180 Patillo Rd.
Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Jaime and Ryan Patillo
Address: 180 Patillo Rd.
Telephone Number: [REDACTED]

Subject Property Address:

123 Howe Ave, Harrow ON N0R1G0

Where you belong



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

Advertising without a
short-term rental.

Reason(s) for Appeal:

We were unaware that
the law changed for
short-term rental units. We
are currently in the process
of getting our short-term rental
license.

*For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I
authorize and consent to the use by or the disclosure to any person or public body any
information contained in respect to this request for the purposes of processing this request.*

Signature of Applicant/Agent

June 27, 2024.

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or
money order is to be made payable to The Town of Essex.



Reference Number
11-April-2024-007

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Patillo, Jaime Lynn; Patillo, Ryan George
Municipal Address or Legal Description of Property: 123 Howe Ave, Harrow On N0R 1G0 PLAN 1507 PT LOT 2
Roll Number: 3754 640 000 02200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **May 13, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

April 11, 2024

Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☒ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____
in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: _____

Address: _____

Telephone Number: _____

Property Owner Information

Owner(s): _____

Address: _____

Telephone Number: _____

Subject Property Address:



Reference Number

08-Jan-2024-020

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

123 Howe Ave. Harrow, Ontario. N0R 1G0

PLAN 1507 PT LOT 2

Roll Number: 3754 640 000 02200 0000

Name of Owner/Occupant (attach separate list if required)

Ryan & Jaime Patillo

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024**.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

Jan 08-24

Date Order Served

M. Diemer

Issuing Officer

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jolanta Banasiak and John Gallo (the “**Appellants**”) as Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario (the “**Property**”) were ordered by Order Reference Number 08-Jan-2024-003, to cease operating and advertising this property as a short-term rental unit immediately.

On February 2, 2024, the Appellants as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the “**Formal Notice**”), Reference Number 02-Feb-2024-005, in the amount of \$1,500.00.

On April 16, 2024, by Appeal Request Form (the “**Appeal Request Form**”), the Appellants as Owner/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 16, 2024, the Appellants as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

“WE WERE UNAWARE OF THE BYLAW LICENSING BY THE TOWN. WHEN FILING INFORMATION FOR 687 SUNSET AVENUE, THE MAILING ADDRESS PROVIDED WAS 2-15 ALBRIGHT, HAMILTON. AS OF DECEMBER 17, 2023, WE MOVED TO AMHERSTBURG AND THE PROPERTY ON THE MAILING ADDRESS WAS VACANT AND PUT UP FOR SALE. WE WERE NOT GETTING ANY MAIL. BEING AWARE OF THE BYLAWS IN PLACE, WE HAVE STARTED AN APPLICATION FOR LICENSING AND REMOVED THE LISTING. ANY PROOF FOR CHANGE OF ADDRESS CAN BE PROVIDED UPON REQUEST.”



Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Jolanta Banasiak and John Gallo, Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☐ ~~\$150.00~~ n/a - AMP
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____

in regard to 02 - Feb - 2024 - 005

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: John Gallo

687 Sunset Avenue, Harrow, ON N0R 1G0

Address: _____

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Jolanta Banasiak

687 Sunset Avenue, Harrow, ON N0R 1G0

Address: _____

Telephone Number: [REDACTED]

Subject Property Address:

687 Sunset Avenue, Harrow, ON N0R 1G0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

operating, permitting a person to operate,
or holding themselves out as being licensed
without an issued short term rental unit
License Section 2.1 a)

Reason(s) for Appeal:

We were unaware of the bylaw licensing by the town.
When filing information for 687 Sunset Ave, the
mailing address provided was 2-15 Albright, Hamilton.
As of December 17, 2023 we moved to Amherstburg
and the property on mailing address was vacant and
put up for sale. We were not getting any mail. Being
aware of the bylaws in place we have started an
application for licensing and removed the listing.
Any proof of address changes can be provided upon request.
For any further information please contact John Gallo

*For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I
authorize and consent to the use by or the disclosure to any person or public body any
information contained in respect to this request for the purposes of processing this request.*



Signature of Applicant/Agent

4/16/24

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or
money order is to be made payable to The Town of Essex.



Reference Number
02-Feb-2024-005

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Jolanta Banasiak
Municipal Address or Legal Description of Property: 687 Sunset Ave., Harrow, Ontario N0R 1G0 PLAN 1347 LOT 54
Roll Number: 3754 670 000 09200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule “E” to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by March 04, 2024 on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property or registered mail.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

Date Notice Served	Signature of By-Law Enforcement Officer
--------------------	---

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-003

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

687 Sunset Ave. Harrow, Ontario. N0R 1G0

PLAN 1347 LOT 54

Roll Number: 3754 670 000 09200 0000

Name of Owner/Occupant (attach separate list if required)

Jolanta Banasiak

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the
issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08.24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jolanta Banasiak and John Gallo (the “**Appellants**”) as Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario (the “**Property**”) were ordered by Order Reference Number 08-Jan-2024-003, to cease advertising a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellants as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the “**Formal Notice**”), Reference Number 08-March-2024-005, in the amount of \$1,500.00.

On April 16, 2024, by Appeal Request Form (the “**Appeal Request Form**”), the Appellants as Owners/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 16, 2024, the Appellants as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

“WE WERE UNAWARE OF THE BYLAW LICENSING BY THE TOWN. WHEN FILING INFORMATION FOR 687 SUNSET AVENUE, THE MAILING ADDRESS PROVIDED WAS 2-15 ALBRIGHT, HAMILTON. AS OF DECEMBER 17, 2023, WE MOVED TO AMHERSTBURG AND THE PROPERTY ON THE MAILING ADDRESS WAS VACANT AND PUT UP FOR SALE. WE WERE NOT GETTING ANY MAIL. BEING AWARE OF THE BYLAWS IN PLACE, WE HAVE STARTED APPLICATION FOR LICENSING AND REMOVED THE LISTING. ANY PROOF FOR ADDRESS CHANGES CAN BE PROVIDED UPON REQUEST.”



Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Jolanta Banasiak and John Gallo, Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

APPEAL REQUEST FORM
Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application is respect to the following, as amended:

Appeals	Fee to appeal (Must accompany request)
<input type="checkbox"/> Animal Care and Control By-Law No. 1966	<input type="checkbox"/> No Fee
<input type="checkbox"/> Kennel Licensing By-Law No. 2221	<input type="checkbox"/> \$300.00
<input checked="" type="checkbox"/> Short-Term Rental Unit By-Law No. 2025	<input type="checkbox"/> \$150.00 n/a - AMP
<input type="checkbox"/> Taxicab Licensing By-Law No. 1052	<input type="checkbox"/> \$150.00
<input type="checkbox"/> Fortification By-Law No. 2210	<input type="checkbox"/> \$300.00
<input type="checkbox"/> Tree Management By-Law No. 2205	<input type="checkbox"/> \$300.00
<input type="checkbox"/> Order provided on _____	
in regard to <u>02 - Feb - 2024 - 005</u>	

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: John Gallo

687 Sunset Avenue, Harrow, ON N0R 1G0

Address: [REDACTED]

Telephone Number: _____

Property Owner Information

Owner(s): Jolanta Banasiak

687 Sunset Avenue, Harrow, ON N0R 1G0

Address: [REDACTED]

Telephone Number: _____

Subject Property Address:

687 Sunset Avenue, Harrow, ON N0R 1G0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

operating, permitting a person to operate,
or holding themselves out as being licensed
without an issued short term rental unit
License Section 2.1 a)

Reason(s) for Appeal:

We were unaware of the bylaw licensing by the town.
When filing information for 687 Sunset Ave, the
mailing address provided was 2-15 Albright, Hamilton.
As of December 17, 2023 we moved to Amherstburg
and the property on mailing address was vacant and
put up for sale. We were not getting any mail. Being
aware of the bylaws in place we have started an
application for licensing and removed the listing.
Any proof of address changes can be provided upon request.
For any further information please contact John Gallo

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.



Signature of Applicant/Agent

4/16/24

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



Reference Number
02-Feb-2024-005

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Jolanta Banasiak
Municipal Address or Legal Description of Property: 687 Sunset Ave., Harrow, Ontario N0R 1G0 PLAN 1347 LOT 54
Roll Number: 3754 670 000 09200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule “E” to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by March 04, 2024 on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property or registered mail.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

Date Notice Served
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-003

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

687 Sunset Ave. Harrow, Ontario. N0R 1G0

PLAN 1347 LOT 54

Roll Number: 3754 670 000 09200 0000

Name of Owner/Occupant (attach separate list if required)

Jolanta Banasiak

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08.24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jolanta Banasiak and John Gallo (the "**Appellants**") as Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-003, to cease advertising a Short-Term Rental Unit without a licence.

On April 11, 2024, the Appellant as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-002, in the amount of \$1,500.00.

On April 16, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owners/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 16, 2024, the Appellant as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"WE WERE UNAWARE OF THE BYLAW LICENSING BY THE TOWN. WHEN FILING INFORMATION FOR 687 SUNSET AVENUE, THE MAILING ADDRESS PROVIDED WAS 2-15 ALBRIGHT, HAMILTON. AS OF DECEMBER 17, 2023, WE MOVED TO AMHERSTBURG AND THE PROPERTY PROVIDED AS MAILING ADDRESS WAS VACANT AND PUT UP FOR SALE. WE WERE NOT RECEIVING ANY MAIL. BECOMING AWARE OF THE BYLAWS IN PLACE, WE HAVE STARTED APPLICATION FOR LICENSING AND REMOVED THE LISTING. ANY PROOF FOR CHANGE OF ADDRESS CAN BE PROVIDED UPON REQUEST."



Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Jolanta Banasiak and John Gallo, Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.1	s. 3.1
s. 7.0	s. 8.0	s. 9.0

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca**APPEAL REQUEST FORM****Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
☐ Kennel Licensing By-Law No. 2221
☒ Short-Term Rental Unit By-Law No. 2025
☐ Taxicab Licensing By-Law No. 1052
☐ Fortification By-Law No. 2210
☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
☐ \$300.00
☒ ~~\$150.00~~ N/A AMP
☐ \$150.00
☐ \$300.00
☐ \$300.00

☐ Order provided on April 11 2024
in regard to 11-April-2024-002

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: John Gallo
687 Sunset Avenue, Harrow, ON N0R 1G0
Address: [REDACTED]
Telephone Number: _____

Property Owner Information

Owner(s): Jolanta Banasiak
687 Sunset Avenue, Harrow, ON N0R 1G0
Address: [REDACTED]
Telephone Number: _____

Subject Property Address:687 Sunset Avenue, Harrow, ON N0R 1G0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

Advertising a short term rental unit
without a license section 2.2 d)

Reason(s) for Appeal:

we were unaware of the bylaw licensing by
the town. When filing information for 687 Sunset Ave
the mailing address provided was 2-15 Albright Hamilton
As of December 17 2023 we moved to Amherstburg
and the property provided as mailing address was vacant
and put up for sale we were not receiving any mail.
Becoming aware of the bylaws in place we have started
application for licensing and removed the listing. Any
proof for change of address can be provided upon request.
For further information please contact John Gallo

*For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I
authorize and consent to the use by or the disclosure to any person or public body any
information contained in respect to this request for the purposes of processing this request.*

Signature of Applicant/Agent

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or
money order is to be made payable to The Town of Essex.



CORPORATION OF THE TOWN OF ESSEX
33 Talbot Street South, Essex, Ontario N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reference Number
11-April-2024-002

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Banasiak, Jolanta
Municipal Address or Legal Description of Property: 687 Sunset Lane, Harrow, N0R 1G0 PLAN 1347 Lot 54
Roll Number: 3754 670 000 09200 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short-Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by May 13, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

April 11, 2024
Date Notice Served


Signature of By-Law Enforcement Officer



Reference Number

08-Jan-2024-003

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

687 Sunset Ave. Harrow, Ontario. N0R 1G0

PLAN 1347 LOT 54

Roll Number: 3754 670 000 09200 0000

Name of Owner/Occupant (attach separate list if required)

Jolanta Banasiak

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024.**

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08.24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Waseem Ali and Kanwal Abbas (the “**Appellants**”) as Owners/Applicant of 13083 13th Concession, Essex, Ontario (the “**Property**”) were ordered by Order Reference Number 08-Jan-2024-021, to cease operating and advertising this property as a Short Term Rental Licence.

On February 2, 2024, the Appellants as Owners/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the “**Formal Notice**”), Reference Number 02-Feb-2024-008, in the amount of \$1,500.00.

On April 11, 2024, by Appeal Request Form (the “**Appeal Request Form**”), the Appellants as Owners/Applicant of the Property, in accordance with s. 7.2 of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 11, 2024, the Appellant as Owners/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- “UPON RECEIVING THIS NOTICE, WE WERE SURPRISED AS WE DO NOT RESIDE AT THE MENTIONED PROPERTY AND WERE UNAWARE OF ANY INFRACTIONS. FURTHERMORE, THE INITIAL WARNING NOTICE WAS UNDELIVERED AND SUBSEQUENTLY RETURNED TO THE SEND, RESULTING IN OUR INABILITY TO ADDRESS THE ISSUE IN A TIMELY MANNER.
- WE RESPECTFULLY REQUEST THAT THE PENALTY BE WAIVED OR REDUCED, TAKING INTO CONSIDERATION THE CIRCUMSTANCES OUTLINED ABOVE. WE ARE COMMITTED TO COMPLIANCE WITH ALL REGULATIONS AND WOULD APPRECIATE THE OPPORTUNITY TO RECTIFY ANY OVERSIGHT.”



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Waseem Ali and Kanwal Abbas as Owners/Applicant of 13083 13th Concession, Essex, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 3.1
s. 7.0	s. 8.0	s. 9.0



Reference Number
02-Feb-2024-008

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025 Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice:

Abbas, Kanwal & Ali, Waseem

Municipal Address or Legal Description of Property:

13083 13th Concession Rd, Essex, Ontario N0R 1J0.,
CON 12 PT LOT 3

Roll Number:

3754 560 000 10500 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **March 04, 2024**, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property or by registered mail.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

02 FEB 2024
Date Notice Served

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca**APPEAL REQUEST FORM****Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals☐ Animal Care and Control By-Law No. 1966☐ Kennel Licensing By-Law No. 2221☒ Short-Term Rental Unit By-Law No. 2025☐ Taxicab Licensing By-Law No. 1052☐ Fortification By-Law No. 2210☐ Tree Management By-Law No. 2205**Fee to appeal (Must accompany request)**☐ No Fee☐ \$300.00☒ \$150.00☐ \$150.00☐ \$300.00☐ \$300.00☐ Order provided on _____

in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant InformationApplicant/Agent: Waseem AliAddress: 3881 Zanzibar Cres. Windsor, ON N9G 0A9Telephone Number: [REDACTED]**Property Owner Information**Owner(s): Waseem Ali / Kanwal AbbasAddress: 3881 Zanzibar Cres Windsor, ON N9G 0A9Telephone Number: [REDACTED]**Subject Property Address:**13083 13th Concession RdEssex, ON N0R 1J0



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

Reason(s) for Appeal:

Please see the attached letter

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent

Apr 11, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.

Appeal Request for Administrative Penalty Notice - Property at 13083 13th Concession Rd, Essex, Ontario

Dear Sir/Madam,

I am writing to appeal the administrative penalty notice recently issued to Abbas, Kanwal & Ali, Waseem for the property located at 13083 13th Concession Rd, Essex, Ontario.

Upon receiving the notice, we were surprised as we do not reside at the mentioned property and were unaware of any infractions. Furthermore, the initial warning notice was undelivered and subsequently returned to the sender, resulting in our inability to address the issue in a timely manner.

We respectfully request that the penalty be waived or reduced, taking into consideration the circumstances outlined above. We are committed to compliance with all regulations and would appreciate the opportunity to rectify any oversight.

Thank you for your attention to this matter. Please do not hesitate to contact us if further information is required.

Sincerely,

Waseem Ali


3881 Zanzibar Cres,
Windsor, ON N9G 0A9



Reference Number

08-Jan-2024-021

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

13083 13th Concession Rd, Essex Ontario
CON 12 PT LOT 3

Roll Number: #3754 560 000 10500

Name of Owner/Occupant (attach separate list if required)

Abbas, Kanwal AND Ali, Waseem

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before January 24, 2024.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1412.

R. Tamminga
Issuing Officer

Date Order Served 08 January, 2024


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Sammour Holding Inc. (the "**Appellant**") as Owner/Applicant of 3464 3rd Concession, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-002, to cease operating and advertising this property as a Short Term Rental Unit immediately.

On February 2, 2024, the Appellant as Owner/Applicant of the Property, were issued an Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy by Formal Notice (the "**Formal Notice**"), Reference Number 02-February-2024-007.

On or about April 29, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellants as Owners/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 29, 2024, the Appellants as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- I WASN'T FORMALLY INFORMED SINCE THE NOTICE PENALTY WENT TO THE PROPERTY ADDRESS NOT TO MAILING ADDRESS.
- I TOOK THE ADVERTISING DOWN NO PROBLEM.
- I TOOK THE PROPERTY OFF THE MARKET.

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reasonable Notice

By this Statement, Sammour Holding Inc. as person served with penalty notice of 3464 3rd Concession, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 936

s.1.23	s. 2.0	s. 3.1
s. 7.2	s. 8.0	s. 9.0



CORPORATION OF THE TOWN OF ESSEX

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APPEAL REQUEST FORM

Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals

- ☐ Animal Care and Control By-Law No. 1966
- ☐ Kennel Licensing By-Law No. 2221
- ☒ Short-Term Rental Unit By-Law No. 2025
- ☐ Taxicab Licensing By-Law No. 1052
- ☐ Fortification By-Law No. 2210
- ☐ Tree Management By-Law No. 2205

Fee to appeal (Must accompany request)

- ☐ No Fee
- ☐ \$300.00
- ☒ \$150.00
- ☐ \$150.00
- ☐ \$300.00
- ☐ \$300.00

☐ Order provided on _____

in regard to _____

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Sammour Holding inc.

Address: 2225 Cousineau Rd Keswilde ON

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Sammour Holdy' inc.

Address: 2225 Cousineau Rd Keswilde ON

Telephone Number: [REDACTED]

Subject Property Address:

~~4412 Concession~~

3464 Concession 3 Harrow



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

Short term rental unit licensing by-law 2025
Section 2.2 d.
Re 11-April-2024-001

Reason(s) for Appeal:

- I wasn't formally informed since the notice package went to the property address not to mailing address,
- I took the advertisement down as per request
- I took the property off the market.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent

April 29/2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.

Reference Number

02-Feb-2024-007

FORMAL NOTICE

Short-Term Rental Unit Licensing By-Law 2025 Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice:

Sammour Holdings Inc.

Municipal Address or Legal Description of Property:

3464 3rd Concession Rd., Harrow, Ontario N0R 1G0

CON 3 PT LOT 9 RP 12R9719 PARTS 1 & 2

Roll Number:

3754 780 000 00300 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	Section 2.1 a)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by **March 04, 2024** on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within fourteen (14) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property or registered mail.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

02 FEB 2024
Date Notice Served


Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-002

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

3464 3rd Concessions Rd. Harrow, Ontario. N0R 1G0
CON 3 PT LOT 9 RP 12R9719 PARTS 1 & 2

Roll Number: 3754 780 000 00300 0000

Name of Owner/Occupant (attach separate list if required)

Sammour Holdings Inc.

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before **January 24th, 2024**.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08-24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Krzysztof Gajowski and Nicole Gajowski (the "**Appellants**") as Owner/Applicant of 993 Kenshore Lane, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-018, to cease operating and advertising a Short-Term Rental Unit immediately.

On April 11, 2024, the Appellants as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-008, in the amount of \$1,500.00.

On April 18, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 2.2 d) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 18, 2024, the Appellants as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "ONCE RECEIVED THE ORDER TO REMEDY VIOLATION OF SHORT-TERM RENTAL UNIT LICENSING BY-LAW 2023 OPERATING/ADVERTISING WITHOUT A LICENCE OF JANUARY 8TH, 2024, SHORTLY AFTER ON JANUARY 20TH WE CEASED OPERATING AND ADVERTISING THE PROPERTY AS A SHORT TERM RENTAL ON AIRBNB WHICH IS THE ONLY PLATFORM WE FUNCTION FROM. SINCE THEN OUR PROPERTY HAS BEEN UNLISTED. WE WERE NOT AWARE A LICENCE WAS NEEDED TO OPERATE A SHORT TERM RENTAL UNIT UNTIL THIS NOTICE WAS GIVEN AS WE HVE BEEN OPERATIONAL LONG BEFORE DECEMBER 31, 2022 WHEN THIS PROHIBITION CAME INTO PLACE. WITH THIS SAID THE WE ARE UNAWARE OF WHY ENFORCEMENT ACTION HAS BEEN TAKEN AGAINST THIS PROPERTY AND THE ISSUANCE OF ADMINISTRATIVE MONETARY PENALTIES ARE GIVEN AS WE HAVE GIVEN FULL COMPLIANCE AND ARE IN THE MIDST OF APPLYING FOR A SHORT TERM RENTAL UNIT LICENCE ISSUED BY



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

THE TOWN OF ESSEX. IN LIGHT OF THE ABOVE REASONS, WE RESPECTFULLY REQUEST THAT THE ADMINISTRATIVE MONETARY PENALTY BE WAIVED. WE ARE COMMITTED TO COMPLYING WITH THE BY-LAW AND ARE WILLING TO PROVIDE ANY FURTHER INFORMATION OR CLARIFICATION AS NEEDED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Krzysztof Gajowski and Nicole Gajowski, Owner/Applicant of 993 Kenshore Lane, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 3.1
s. 7.2	s. 8.0	s. 9.0



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Krzysztof Gajowski and Nicole Gajowski (the "**Appellants**") as Owner/Applicant of 993 Kenshore Lane, Harrow, Ontario (the "**Property**") were ordered by Order Reference Number 08-Jan-2024-018, to cease advertising a Short-Term Rental Unit without a licence.

On April 11, 2024, the Appellants as Owner/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 11-April-2024-008, in the amount of \$1,500.00.

On April 18, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 2.2 d) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 18, 2024, the Appellants as Owner/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- "ONCE RECEIVED THE ORDER TO REMEDY VIOLATION OF SHORT-TERM RENTAL UNIT LICENSING BY-LAW 2023 OPERATING/ADVERTISING WITHOUT A LICENCE OF JANUARY 8TH, 2024, SHORTLY AFTER ON JANUARY 20TH WE CEASED OPERATING AND ADVERTISING THE PROPERTY AS A SHORT TERM RENTAL ON AIRBNB WHICH IS THE ONLY PLATFORM WE FUNCTION FROM. SINCE THEN OUR PROPERTY HAS BEEN UNLISTED. WE WERE NOT AWARE A LICENCE WAS NEEDED TO OPERATE A SHORT TERM RENTAL UNIT UNTIL THIS NOTICE WAS GIVEN AS WE HVE BEEN OPERATIONAL LONG BEFORE DECEMBER 31, 2022 WHEN THIS PROHIBITION CAME INTO PLACE. WITH THIS SAID THE WE ARE UNAWARE OF WHY ENFORCEMENT ACTION HAS BEEN TAKEN AGAINST THIS PROPERTY AND THE ISSUANCE OF ADMINISTRATIVE MONETARY PENALTIES ARE GIVEN AS WE HAVE GIVEN FULL COMPLIANCE AND ARE IN THE MIDST OF APPLYING FOR A SHORT TERM RENTAL UNIT LICENCE ISSUED BY



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

THE TOWN OF ESSEX. IN LIGHT OF THE ABOVE REASONS, WE RESPECTFULLY REQUEST THAT THE ADMINISTRATIVE MONETARY PENALTY BE WAIVED. WE ARE COMMITTED TO COMPLYING WITH THE BY-LAW AND ARE WILLING TO PROVIDE ANY FURTHER INFORMATION OR CLARIFICATION AS NEEDED.”

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Krzysztof Gajowski and Nicole Gajowski, Owner/Applicant of 993 Kenshore Lane, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 2025

s.1.23	s. 2.0	s. 3.1
s. 7.2	s. 8.0	s. 9.0



Reference Number
11-April-2024-008

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

Name of Person Served with Penalty Notice: Gajowski, Krzysztof
Municipal Address or Legal Description of Property: 993 Kenshore Lane, KINGSVILLE, ON N9Y 3X5 PLAN 1474 LOT 3
Roll Number: 3754 610 000 01300 0000

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

Infraction	Offence Section	Administrative Penalty
Advertising a Short Term Rental Unit without a licence	Section 2.2 d)	\$1,500.00

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by May 13, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

<u>April 11, 2024</u> Date Notice Served	 Signature of By-Law Enforcement Officer
---	---

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-018

ORDER TO REMEDY

Violation of Short-Term Rental Unit Licensing By-Law 2025

Operating/Advertising Without Licence

Municipal Address or Legal Description of Property:

993 Kenshore Lane. Kingsville, Ontario. N9Y 3X5

PLAN 1474 LOT 3

Roll Number: 3754 610 000 01300 0000

Name of Owner/Occupant (attach separate list if required)

Krzysztof Gajowski

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.

There must be compliance with the required action(s) of this order,
before January 24th, 2024.

Failure to do so will result in enforcement action taken against this property, including the
issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved
manner determined by the Officer.

**For more information on the application process for a Town of Essex Short-Term Rental
Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-
776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees
and Charges By-Law from time to time.**

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law
Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08-24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

*Personal information contained on this order, collected under the authority of the Municipal Act, 2001,
as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025.
Questions should be directed to the Clerk of the Town of Essex.*

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca**APPEAL REQUEST FORM****Town of Essex Appeals Committee**

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

Appeals**Fee to appeal (Must accompany request)**

- | | |
|---|--|
| <input type="checkbox"/> Animal Care and Control By-Law No. 1966 | <input type="checkbox"/> No Fee |
| <input type="checkbox"/> Kennel Licensing By-Law No. 2221 | <input type="checkbox"/> \$300.00 |
| <input type="checkbox"/> Short-Term Rental Unit By-Law No. 2025 | <input type="checkbox"/> \$150.00 |
| <input type="checkbox"/> Taxicab Licensing By-Law No. 1052 | <input type="checkbox"/> \$150.00 |
| <input type="checkbox"/> Fortification By-Law No. 2210 | <input type="checkbox"/> \$300.00 |
| <input type="checkbox"/> Tree Management By-Law No. 2205 | <input type="checkbox"/> \$300.00 |
| <input checked="" type="checkbox"/> Administrative Monetary Penalty | <input checked="" type="checkbox"/> No Fee |

☐ Order provided on April 11 2024

In regard to 11-April-2024-008

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Nicole Gajowski

Address: 799 Puce Rd, Essex, ON N8M 2X7

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Krzysztof Gajowski

Address: 799 Puce Rd, Essex, ON N8M 2X7

Telephone Number: [REDACTED]

Subject Property Address:

993 Kenshore Lane, Kingsville, ON N9Y 3X5

Where you belong

**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provision(s) of By-Law for Requested Appeal:

Provision sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex

Reason(s) for Appeal:

Once received the Order to Remedy Violation of Short-Term Rental Unit Licensing By-Law 2025 Operating/Advertising Without Licence on January 8th 2024, shortly after on January 20th we ceased operating and advertising the property as a short term rental on Airbnb which is the only platform we function from. Since then our property has been unlisted. We were not aware a license was needed to operate a Short Term Rental Unit until this notice was given as we have been operational long before December 31, 2022 when this prohibition came into place. With this said the we are unaware of why enforcement action has been taken against this property and the issuance of administrative monetary penalties are given as we have given full compliance and are in the midst of applying for a Short-Term Rental Unit License issued by the Town of Essex.

In light of the above reasons, we respectfully request that the administrative monetary penalty be waived. We are committed to complying with the by-law and are willing to provide any further information or clarification as needed.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.

Signature of Applicant/Agent

April 18, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:**By Mail or In-Person to:**

Town of Essex
Legal and Legislative Services
33 Talbot Street South, Essex, ON N8M 1A8

By email to:

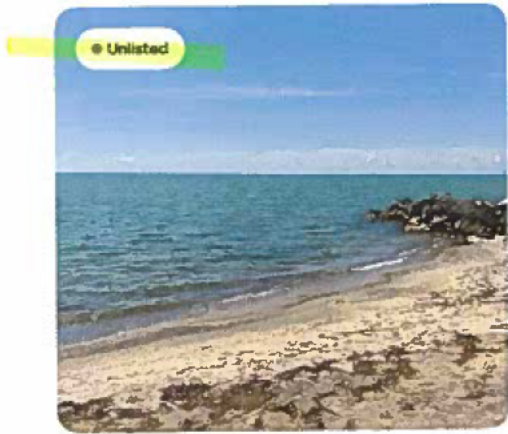
clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.

Our AIRBNB listing: Erie Haven Cottage, 993 Kenshore Lane



Your listing



Erie Haven Cottage
Kingsville, ON





STATEMENT OF APPEALS COMMITTEE HEARING

History

On June 4, 2024, Valerie Lynne and Benny Thomas Neilipovitz (the “**Appellants**”) as Owners/Applicant of 147 Allison Avenue, Harrow, Ontario (the “**Property**”) were ordered by Order Reference Number 04-June-2024-002, that the motion activated light mounted on the west facing wall of the shed in the rear yard shall be relocated, removed, repositioned or shielded so as to not project light onto abutting properties..

On June 4, 2024, the Appellants as Owners/Applicant of the Property, were issued an Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy by Formal Notice (the “**Formal Notice**”), Reference Number 04-June-2024-002.

On or about June 13, 2024, by Appeal Request Form (the “**Appeal Request Form**”), the Appellants as Owners/Applicant of the Property, in accordance with s. 44.14 of By-Law 936, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated on or about June 13, 2024, the Appellant as Owners/Applicant of the Property, Request for Appeal to the Formal Notice on the following ground(s):

- “I TOM NEILIPOVITZ WILL BE APPEALING THIS MATTER UNDER THE REFERENCE NUMBER 04-JUNE-2024-001 UNDER BY-LAW NUMBER 936. AS EXPLAINED TO MR. RENE TAMINGA (BY-LAW OFFICER), THE TOWN OF ESEX IS VIOLATING MY CANADIAN CONSTITUTIONAL RIGHTS, MY CANADIAN BILL OF RIGHTS AND MY CANADIAN CHARTER OF RIGHTS AND FREEDOM. ALSO INFOMRED MR. RENE TAMINGA THAT THE BY-LAWS DO NOT OVER FULE THE CANADIAN LAWS AND RIGHTS OF THE CANADIAN PEOPLE.
- AS I EXPLAINED TO MR. RENE TAMINGA, THAT I HAVE MR ROBINSON AND 3 DIFFERENT SECURITY CAMERA’S BREAKIGN ONTO MY PROPERTY IN THE MIDDLE OF THE NIGHT WITH A CLUBOF SOME SORT IN EACH HAND. I AM FEARFUL FOR MY WIFE’S SAFETY AND MINE AND FOR THE SAFETY OF OUR BELONGINGS AND PROPERTY. UNDER MY RIGHTS AS A CANADIAN CITIZEN AND UNDER THE CANADIAN CONSTITUTION CANADIAN BILL OF RIGHTS AND THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS, I HAVE THE RIGHT TO PROTECT MY FAMILY, MY PROPERTY AND BELONGINGS. I OVERSEE OR OVER RULE THE CANADIAN LAWS



OR THE RIGHTS OF ALL CANADIAN'S. MR RENE TAMIGNA HAS VIOLATED MY CIVIL RIGHTS AND USING DOUBLE STANDARDS. I HAVE RECORDINGS, SECURITY FOOTAGE AND DOCUMENTS PERTAINING TO THE ISSUE AT HAND."

Convening of Appeals Committee

According to s. 44.14 of By-Law 936:

An owner or occupant who has been served with an order made under Section 44.2 and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal registered mail to the Secretary of the Committee within 14 days after being served with the order.

Reasonable Notice

By this Statement, Valerie Lynne and Benny Thomas Neilipovitz as persons served with penalty notice of 147 Allison Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place 33 Talbot Street South, Essex, Ontario, on **July 16, 2024 at 5:00 PM.**

Relevant Sections of By-Law 936

s. 5.5	s. 44.14	



ORDER TO REMEDY
NON-CONFORMITY WITH STANDARDS
FOR MAINTENANCE AND OCCUPANCY

2610 County Rd. 12, t 519 776 6476
R.R. #2 f 519 776 7171
Essex, ON N8M 2X6
www.essex.ca

Reference Number
04-June-2024-002

Date of Inspection 2 May, 2024	Time 11:04 hours	By-Law Number 936
Municipal Address or Legal Description of Property: 147 Allison Ave. RR # 3 Harrow, On. PLAN 1391 LOTS 88 TO 90 Roll # 3754 660 000 16300		
Name of Owner/Occupant (attach separate list if required) Neilipovitz, Valerie Lynne and Neilipovitz, Benny Thomas		

DESCRIPTION OF NON-CONFORMITY	LOCATION	BY-LAW REFERNECE
Outside Lighting fixtures and supports Lighting fixtures and their supports shall be installed and maintained in a safe and structurally sound condition, and in good working order and in good repair and designed and/or positioned so as not to project light onto abutting properties or otherwise cause a nuisance.	Flood light mounted facing west on rear yard structure	5.5

REQUIRED ACTION

There must be compliance with the terms and conditions of this order before June 24, 2024. The motion activated light mounted on the west facing wall of the shed in the rear yard shall be relocated, removed, repositioned or shielded so as to not project light onto abutting properties.

TAKE NOTICE THAT if such repair or clearance is not done within the time specified in this order, the municipality may carry out the repair or clearance at the expense of the owner. Clause 15.2 (2)©.

APPEAL TO PROPERTY STANDARDS COMMITTEE – An owner or occupant upon whom this order has been served, if not satisfied with the terms or conditions of the order, may appeal to the property standards committee by sending notice of appeal by registered mail to the secretary of the committee on or before June 18, 2024. In the event that the order is not appealed, it shall be deemed to be confirmed. Subsection 15.3 (1).

2024 June 04

Date order served

Signature of Property Standards Officer

DISTRIBUTION OF ORDER TO REMEDY* - The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property. Subsection 15.2(3).

REGISTRATION OF ORDER – Where a copy of this order is registered in the proper land registry office, any persons acquiring any interest in the land, subsequent to the registration of the order, shall be deemed to have been served with the order on the day on which the order was served. Subsection 15.2(4).

OFFENCE – A person is guilty of an offence if the person fails to comply with an order, direction or other requirement made under the *Building Code Act, 1992*. A person who is convicted of an offence is liable to a fine of not more than \$25,000 for a first offence and to a fine of not more than \$50,000 for a subsequent offence. Subsections 36 (1) (b) and 36 (3).

Personal information contained on this form, collected pursuant to a by-law passed under the *Building Code Act, 1992* will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.

APPEAL to PROPERRTY STANDARDS

I Tom Neilipovitz will be appealing this matter under the Reference Number 04-June-2024-001 under By-Law Number 936.

As explained to Mr. Rene Tamminga (By-Law Officer), the Town of Essex is violating my Canadian Constitutional Rights, my Canadian Bill of Rights and my Canadian Charter of Rights and Freedom. Also informed Mr. Rene Tamminga that the By-Laws do not over rule the Canadian Laws and Rights of the Canadian people.

As I explained to Mr Rene Tamminga, that I have Mr Robinson and 3 different Security Camer's breaking onto my property in the middle of the night with a club of some sort in each hand. I am ferarful for my wife's safety and mine and for the safety of our belongings and property. Under my Rights as a Canadian Citizen and under the Canadian Constitution, Canadian Bill of Rights and the Canadian Charter of Rights and Freedoms, I have the right to protect my family, my property and belongings. I installed the light as the protection for my family and property. The By-Laws do not oversee or over rule the Canadian Laws or the Rights of all Canadian's. Mr Rene Tamminga has Violated my Civil Rights and using DOUBLE STANDARDS. I have recordings, security footage and documents pretaining to the issue at hand.

Thank You

Benny Thomas Neilipovitz
