



## 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 22<sup>ND</sup>. 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 8<sup>TH</sup> 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](mailto: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 checked="" type="checkbox"/> Short-Term Rental Unit By-Law No. 2025 | <input checked="" 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            |

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: Laura 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]
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](mailto: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 8<sup>th</sup> - 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 



**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. NOR 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)	<b>\$1,500.00</b>

**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:

Table with 3 columns: Infraction, Offence Section, Administrative Penalty. Row 1: 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]
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 24<sup>th</sup>, 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](http://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

*JANUARY 28 2024*

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.*