



## 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](http://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



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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](http://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](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 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 Information**Applicant/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](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.





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**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](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.

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.*