



City of Hamilton
HAMILTON LICENSING TRIBUNAL
AGENDA

Established under the Municipal Act, 2001 and the Business Licensing By-law No. 07-170

Meeting #: 23-004
Date: June 22, 2023
Time: 10:00 a.m.
Location: Room 192, 1st Floor (in-person)
71 Main Street West

Loren Kolar, Committee Secretary (905) 546-2424 ext. 2604

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. CONFLICTS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1 April 28, 2023

4. HEARINGS

4.1 REQUEST FOR SHOW-CAUSE HEARING: Dean Pearson, City of Hamilton
Establishment Licence(s): 19-296000 1W Second Hand Shop, 2670010 Ontario Inc
O/ANew 2 You; and 17-293170 1W Second Hand Shop, 2595830 Ontario Inc
O/AHamilton's Entertainment Overload

Adjourned April 21, 2023

5. OTHER BUSINESS

6. ADJOURNMENT



CITY OF HAMILTON MINUTES

23-003

HAMILTON LICENSING TRIBUNAL

Friday, April 28, 2023

9:30 a.m.

**Council Chambers, 2nd Floor
City Hall**

Present: Councillor B. Clark (Chair)
Councillors, M. Tadeson and A. Wilson

Absent: Councillor M. Francis

The meeting was called to order.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Secretary advised the Tribunal that there were no changes to the agenda.

(A. Wilson/Tadeson)

That the agenda for the April 21, 2023 meeting of the Hamilton Licensing Tribunal be approved, as amended.

CARRIED

(b) CONFLICTS OF INTEREST (Item 3)

There were none declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) April 21, 2023 (Item 4.1)

(Tadeson/A. Wilson)

That the Minutes of the April 21, 2023 meeting of the Hamilton Licensing Tribunal, be approved, as presented.

CARRIED

(d) HEARINGS (Item 4)

(i) REQUEST A FURTHER CONDITIONAL LICENSE to: Titan Recycling Inc., City of Hamilton Establishment Licence - Salvage Yard (1V) File No.20-298038 (Item 4.1)

(M. Tadeson/A. Wilson)

That a three month conditional license as of April 28, 2023 and ending on July 28, 2023, is granted, subject to the following conditions:

- (a) Compliance with all conditions of the license granted November 7, 2022, including without limitation, respecting hours of operation, traffic management, and fugitive dust management, shall remain;
- (b) Before the expiration of the conditional license on July 28, 2023, the parties may advise the LT in writing, that the hearing of the underlying application before the Superior Court of Justice has been completed;
- (c) If the parties so advise, this conditional license shall automatically be extended for an indefinite period, until such time as a decision has been received from the Superior Court; and
- (d) No further notice of the hearing shall be required before this Tribunal to extend the license, provided that notice of the Superior Court hearing is received before July 28, 2023.

CARRIED

(e) ADJOURNMENT (Item 7)

(Tadeson/A. Wilson)

That the meeting of the Hamilton Licensing Tribunal be adjourned at 10:27 a.m.

CARRIED

Loren Kolar
Secretary
Hamilton Licensing Tribunal
City Clerk's Office



CITY OF HAMILTON

HEARING NOTICE

HAMILTON LICENSING TRIBUNAL

established under the *Municipal Act, 2001* and the Business Licensing By-law No. 07-170

A hearing for Friday, April 21, 2023 has been adjourned and is now scheduled for **Thursday, June 22, 2023 at 10:00 a.m., in Rooms 192/193, 1st Floor, at Hamilton City Hall, 71 Main Street West, Hamilton, Ontario**, to consider the following:

The Director of Licensing's request, made February 21, 2023, under Section 12(1) of the General Provisions of the City of Hamilton Licensing By-law, for a Show Cause Hearing respecting a City of Hamilton Establishment Licenses 19-296000 and 17-293170 – 1W Second Hand Shop for Dean Pearson.

At the hearing the Tribunal will decide whether or not to uphold the refusal, and/or to revoke, suspend or have conditions imposed on your business licence. The hearing will be conducted in accordance with the *Municipal Act, 2001*, the Business Licensing By-law No. 07-170 and the *Statutory Powers Procedure Act*. Additional information respecting the appeal process can be obtained online at <https://www.hamilton.ca/council-committee/council-committee-meetings/hamilton-licensing-tribunal> or in person at the Office of the City Clerk, 71 Main Street West, First Floor.

If either you and/or your legal representative do not attend the hearing at the date, place and time indicated, the Hamilton Licensing Tribunal may proceed in your absence to render any decision or recommendation within its jurisdiction, and you will not be entitled to further notice of the proceeding.

The Tribunal may commence to hear a matter at any time from **1:00 p.m.** onward. Once a matter has commenced it may continue to be heard after regular business hours, until such later time as determined by the Tribunal.

Please advise the Legislative Coordinator if you require any special accommodations, including language translation services, as soon as possible.

Re-Issued on April 24, 2023 to:

Licensee:

Manager of Licensing:

Dean Pearson
351 Main Street East, and 1565 Barton Street East, Hamilton

Monica Ciriello

Please direct any questions to: Loren Kolar, Legislative Coordinator
Office of the City Clerk
905-546-2424 x2604
loren.kolar@hamilton.ca