

March 23, 2018

To: Hamilton Licensing Tribunal
Office of the City Clerk, City Hall
71 Main Street West
Hamilton, ON., L8P 4Y5

From: Queenston Wellness Spa
1626040 Ontario Ltd.
Mr. Petro Sosnovskiy
[REDACTED]
[REDACTED]

**RE: 1626040 Ontario Ltd., owner/ operator of Queenston Wellness Spa
City of Hamilton Personal Wellness Service Establishment License
261 – 267 Queenston Road, Hamilton, Ontario
Application 17 293426**

Dear Sir/ Madam:

Following Notice of Refusal letter dated March 07, 2018 I would like to request a decision Appeal Hearing Date with Legislative Coordinator for the Hamilton Licensing Tribunal.

The grounds for the Appeal are as follows:

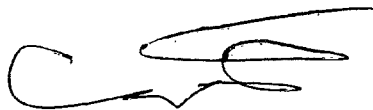
1. Temporary medical disability of Mr. Petro Sosnovskiy on the date of the interview;
2. Operational plan.

Please be advised, that all above noted documents will be provided prior to the date of Appeal Hearing.

Also, I intend to be represented by Licensed Paralegal.

If you have any further questions, please contact Mr. Leon Levin at (416) 225 – 5200.
His mailing address is 1000 Finch Ave West, Ste. #305, Toronto, ON M3J 2V5.

Sincerely,



Mr. Petro Sosnovskiy



Hamilton

City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Licensing and By-law Services Division
Licensing Section
Physical Address: 77 James Street North, Suite 250
Phone 905.646.2782 Fax: 905.640.6280

March 7, 2018

Queenston Wellness Spa
1626040 Ontario Ltd.
Mr. Petro Sosnovskiy

Dear Mr. Sosnovskiy,

**Subject: NOTICE OF REFUSAL
1626040 Ontario Ltd., owner / operator of Queenston Wellness Spa,
City of Hamilton Personal Wellness Service Establishment Licence
261- 267 Queenston Road, Hamilton, Ontario
Application 17 293426**

Please be advised that pursuant to Section 12(1) of the General Provisions of the City of Hamilton Licensing By-law 07-170, as amended, it is my intention to refuse the issuance of the above referenced licence.

Pursuant to Section 8 of the Statutory Powers Procedure Act, R.S.O. 1990, c. S22, the grounds for refusal are as follows:

1. City of Hamilton Licensing By-law 07-170, Section 12(1)(c)(vi), as amended which states:

The Issuer of Licences shall refuse to issue a licence or may recommend the suspension or revocation of a licence when, in the opinion of the Issuer of Licences:

- a. *the operation of the applicant's or licensee's business would put the public safety at risk;*
- b. *the operation of the applicant's or licensee's business is not or will not be carried on in compliance with the law; or*
- c. *the conduct of the applicant or licensee (in the case of partnership, the conduct of its partners, employees, or agents, or in the case of a corporation, the conduct of its officers, directors, employees or agents) affords reasonable grounds for belief that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty or integrity.*

Subject: NOTICE OF Refusal – Queenston Wellness Spa
March 7, 2018

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Namely,

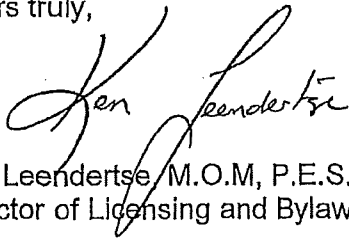
1. The Applicant was very sparse in his knowledge of the practices of Aromatherapy, and alternative massage; he did not announce a background of knowledge of these practices which the public would be relying on for treatment as per the requirements of City of Hamilton By-law 07-170, Schedule 15, Sec 4(b), as amended, and as per the requirements of City of Hamilton By-law 07-170, Schedule 15, Sec 4(c), as amended.
2. The Applicant and his spouse have a background and evidence would indicate that they were involved in a business which was previously and currently listed as a body rub business in Toronto.

Pursuant to Section 13 of the By-law, you are entitled to a hearing before the Hamilton Licensing Tribunal.

To obtain a hearing before the Hamilton Licensing Tribunal, you must file within thirty (30) days from this date, a written request for a hearing with the Legislative Coordinator for the Hamilton Licensing Tribunal, Office of the City Clerk, City Hall, 71 Main Street West, Hamilton, Ontario, L8P 4Y5, together with the grounds for appeal of the decision of the Issuer of Licenses. This request must include any change of address for receipt of notice of the hearing. Please be advised that there is a \$148.00 non-refundable fee required to be submitted at the time of filing of your appeal.

You will then be notified by the Legislative Coordinator of the Hamilton Licensing Tribunal of the scheduled hearing before the Hamilton Licensing Tribunal. A hearing shall be commenced by the Hamilton Licensing Tribunal within sixty (60) days from the date of receipt of your request for a hearing.

Yours truly,



Ken Leendertse, M.O.M, P.E.S.M., BA
Director of Licensing and Bylaw Services

KL/JG/kn

JK
cc: Lauri Leduc, Legislative Coordinator
Linda Clayton, Prosecutor, Municipal Prosecutions
Stacy Stanley, Prosecutor, Municipal Prosecutions
Dana Lezau, Solicitor, Legal Services
Lynne Shewfelt, Supervisor of Licensing Compliance
Jim Gordon, Licensing and Bylaw Services