



City of Hamilton
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Planning and Economic Development
Licensing and By-law Services
Physical Address: 330 Wentworth Street North
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Tuesday, November 21, 2023

File No. 21-299133

Ross Williams
1129 Highway 5
Dundas, ON L9H 5E2

DELIVERED: personally on _____, 2023 by _____
 placed out for registered mail on _____, 2023

RE: REFUSAL OF LICENCE APPLICATION
City of Hamilton Mobile Licence – Refreshment Vehicle Class A
File No. 21-299133 2F

Please be advised that in accordance with City of Hamilton *Licensing By-Law 07-170* (as amended) (By-law), the application for the above-noted licence is refused and a licence will not be issued.

Pursuant to Section 12.(1)(c)(vi), the Director of Licensing & By-law Services (Director), shall refuse to issue a licence when, in the opinion of the Director:

(2) the operation of the applicant’s or licensee’s business is not or will not be carried on in compliance with the law; or

Namely,

- 1. The Certificate of Zoning Verification and Property Report, Certificate No. 22-143700 ZR2, dated September 27, 2022, from the Zoning Section, indicated that the proposed food truck/refreshment vehicle is considered a structure, and is not permitted in the “E2” Zone of Hamilton Zoning By-law 05-200 as the “E2” Zone does not permit a restaurant.*
- 2. A Notice of Zoning Compliance Review was served on September 29, 2023, providing the applicant the opportunity to comply by establishing legal non-conforming status either as a Refreshment Vehicle or Restaurant through a Zoning Compliance Review with the Zoning Section. Deadline to apply was set as November 1, 2023.*
- 3. No further communication was received back from the applicant, nor was an application/documentation submitted to the Zoning Section for the Zoning Compliance Review by the deadline as set out.*

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Pursuant to Section 13(1)(b) of the By-Law, should you disagree with the decision, you are entitled to a hearing before the Hamilton Licensing Tribunal.

To obtain a hearing before the Hamilton Licensing Tribunal, a request shall be made in writing within thirty (30) days from the date of service of this letter, accompanied by the non-refundable application fee of \$165.49 plus HST for a total of \$187 to the:

**Legislative Coordinator - Hamilton Licensing Tribunal,
Office of the City Clerk,
City Hall - 71 Main Street West,
Hamilton, Ontario L8P 4Y5**

Your request must specify the following:

- i) your grounds for appeal; and,
- ii) any change of address, as the Legislative Coordinator will notify you by mail of the hearing date

For further details, please review the By-law available on the City's website by scanning the QR code below:



Yours Truly,

A handwritten signature in cursive script that reads "Monica Ciriello". The signature is written in black ink and is positioned above the printed name and title.

Monica Ciriello
Director, Licensing and By-law Services

cc: Loren Kolar – Legislative Coordinator
Dan Smith – Manager, Licensing
Tiffany Gardner – Supervisor, Licensing Administration
Corbin Ouwendyk – Supervisor, Licensing Enforcement