



City of Barrie

70 Collier Street
P.O. Box 400
Barrie, ON L4M 4T5

Minutes - Final Business Licensing Appeal Committee

Tuesday, October 3, 2017

6:30 PM

Council Chambers

The meeting of the Business Licensing Appeal Committee was called to order by the Chair, G. Pickering at 6:39 p.m.

The following were in attendance for the meeting:

Present: 4 - G. Gelfand
S. Kinsella
E. Macklin
G. Pickering

Absent: 1 - C. Strachan

STAFF:

Committee Support Clerk, T. McArthur
Deputy City Clerk, W. Cooke
Legal Counsel, P. Krysiak
Municipal Prosecutor, C. Powell
Supervisor of Enforcement Services, R. Osborne.

ALSO PRESENT:

C. Temple-Trembley
D. Carr

Mr. G. Pickering, Chair of the Business Licensing Appeal Committee advised that the purpose of the meeting was to conduct an appeal hearing pursuant to the City of Barrie By-law 2006-265 (Transportation Industry), filed by Mr. C. Temple-Tremblay. Mr. Pickering confirmed with T. McArthur, Committee Support Clerk that notification was conducted in accordance with By-law 2006-265 for the hearing.

The Business Licensing Appeal Committee met and reports as follows:

**TMP-21481 APPEAL HEARING - BUSINESS LICENSING BY-LAW 2006-265 -
TRANSPORTATION INDUSTRY - C. TEMPLE-TREMBLAY**

The Chair advised that the hearing would be conducted as a judicial hearing and each party would be allotted time to present evidence, present witnesses, conduct cross-examinations of the witnesses and make submissions as they deemed appropriate.

Ms. C. Powell identified herself to the Chair and explained she was acting on behalf of the Issuer of Licences for the City of Barrie.

Mr. C. Temple-Tremblay identified himself as the Applicant. Mr. D. Carr was also present as a representative of the Applicant.

Mr. R. Osborne, Supervisor of Enforcement Services was sworn in by Ms. T. McArthur, Committee Support Clerk. Ms. C. Powell presented evidence and examined Mr. R. Osborne as a witness. Several pieces of evidence were entered into the record as Exhibits.

Mr. D. Carr cross-examined Mr. R. Osborne, on behalf of Mr. C. Temple-Tremblay, with respect to the evidence that had been provided.

Mr. Temple-Tremblay and Mr. D. Carr were sworn in by Ms. T. McArthur, Committee Support Clerk. Mr. C. Temple-Tremblay presented evidence. Documentation was not entered into the record as evidence.

Ms. C. Powell cross-examined Mr. C. Temple-Tremblay with respect to the evidence that had been presented.

Members of the Committee requested and received clarification of the evidence presented by the Applicant and the Issuer of Licences.

Ms. C. Powell provided closing statements on behalf of the Issuer of Licences.

Mr. C. Temple-Tremblay provided closing statements.

Upon the adoption of the required procedural motion, the Business Licensing Appeal Committee met In-Camera/Closed Session at 7:15 p.m. in the Huronia Room "B" to receive and discuss confidential advice and a confidential litigation matter that is subject to solicitor-client privilege with respect to the appeal hearing of Mr. C. Temple-Tremblay. The Committee members, Deputy City Clerk and Legal Counsel were present for this portion of the meeting.

The Business Licensing Appeal Committee resumed in open session in the Council Chamber at 7:26 p.m.

P. Krysiak, Legal Counsel advised that he provided the Committee advice on the content that be included in a decision letter while in Huronia Room "B".

G. Pickering, Chair of the Business Licensing Appeal Committee advised that the Committee had made a decision regarding the appeal by Mr. C. Temple-Tremblay.

The Committee approved the following recommendation with respect to the appeal by Mr. C. Temple-Tremblay.

"The decision of the Business Licensing Appeal Committee is that the appeal of By-law 2006-265 by the applicant Mr. C. Temple-Tremblay, be denied a business licence as a Tow Truck Driver."

That Chair advised that a written copy of the decision letter outlining the rationale for the decision would be sent to the Applicant

The meeting adjourned at 7:27 p.m.

CHAIRMAN