



CITY OF VANCOUVER
BUSINESS LICENSE HEARING MINUTES
JANUARY 19, 2006

A Business License Hearing of the Council of the City of Vancouver was held on Thursday, January 19, 2006, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Tim Stevenson, Chair
Councillor Suzanne Anton
Councillor B.C. Lee

CITY CLERK'S OFFICE: Tina Hildebrandt, Meeting Coordinator

1. **Mouhammed Ahmed**
435 Abbott Street (File 08-2000-40)

A Business License Hearing was held to determine whether or not a City of Vancouver business license for the year 2006 should be granted to Mouhammed Ahmed (the "License Applicant"), for a pizza business located at 435 Abbott Street, Vancouver, British Columbia (the "Premises").

The Business License Hearing Panel had before it for consideration an Evidence Brief, prepared by the City of Vancouver's Legal Department, which contained the following material (*on file in the City Clerk's Office*) and the evidence of witnesses:

Notice of Hearing

1 Licenses and Inspections

Business License Application dated August 12, 2005
Police Background Check dated August 12, 2005
Copy of Driver's License
Record of Landing for Mouhammed Ahmed
Lease dated September 1, 2005
Handwritten Notes dated October 11, 2005
Letter to Mouhammed Ahmed from Barb Windsor dated October 13, 2005
Letter to Mouhammed Ahmed from Barb Windsor dated October 24, 2005
Letter from Mouhammed Ahmed dated November 29, 2005
Statement of Registration dated November 29, 2005
National Pizza Menu

Mr. Iain Dixon, Lawyer, was present on behalf of the City of Vancouver. Mr. Mouhammed Ahmed, the License Applicant, with the aid of a Kurdish (Sourani dialect) interpreter, was

present and represented himself. Mr. Peter Poulos, Petrina Enterprises Inc., owner of the property, was also present.

Mr. Dixon advised that this license application had been referred to City Council by the Chief License Inspector pursuant to section 4(2a) of the *License By-law* of the City of Vancouver and that the hearing was required due to previous Council resolutions which directed that any new business license applications for this address must be referred to Council. He also noted that these resolutions require the owner of the property to attend the hearing with the new License Applicant.

Mr. Dixon noted that proceedings were taking place pursuant to Section 275 of the *Vancouver Charter* which provides that the granting or refusing of a license to an applicant is deemed to be at the discretion of Council. He advised that the issues to be considered in making its decision are that of business management, including whether it is likely to be run properly, potential impacts to the neighbourhood, potential drain on City and Police resources, and whether it is likely to comply with applicable municipal, provincial and federal legislation.

Mr. Dixon referred the Panel to evidence before it as set out in documents which were considered by the Chief License Inspector in referring the business License to Council, a letter from the Deputy Chief License Inspector and the evidence of witnesses. He also referred the Panel to additional evidence submitted at the hearing regarding previous decisions of Council related to the property, provided a brief history and noted that both the License Applicant and the Premises have been referred to Council previously (*on file in the City Clerk's Office*). Mr. Dixon advised that although the Chief License Inspector is in support of this license application, the matter still needs to come before Council due to previous Council resolutions.

In support of the aforementioned evidence, Mr. Dixon called the following witness:

Barb Windsor, Deputy Chief License Inspector

During her testimony, Ms. Windsor submitted that staff have met with both the License Applicant and the property owners to resolve previous issues and, as a result, are in support of this license application.

Mr. Ahmed and Mr. Poulos had no questions for the witness.

Mr. Ahmed, with the aid of the interpreter, submitted that he would like Council to grant this business license, adding that he will follow the City's rules and do his best in operating the business.

PANEL MEMBERS DISCUSSION

Prior to making a decision on this matter, the Chair expressed support in approving this license application, noting all requirements of the City have been met and the Chief License Inspector is recommending approval.

MOVED by Councillor Anton

THAT the Business License application for the year 2006 by Mouhammed Ahmed (the "License Applicant") for a pizza business located at 435 Abbott Street, Vancouver, British Columbia (the "Premises"), be granted.

CARRIED UNANIMOUSLY

2. **WITHDRAWN**

The Business License Hearing Panel adjourned at 7:57 p.m.

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