#### Windsor Licensing Commission – Meeting held November 22, 2017

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3<sup>rd</sup> floor, City Hall, there being present the following members:

Councillor Ed Sleiman, Chair Councillor Paul Borrelli Councillor John Elliott Gino Conte Jack Fathers

#### Also present are the following resource personnel:

George Chernawski, Environmental Technologist Daryl Flacks, By-law Enforcement Officer Ken Passa, Supervisor, Environmental Quality Craig Robertson, Supervisor of Licensing Bill Tetler, Supervisor of By-law Enforcement Janna Tetler, Senior Licensing Issuer Karen Kadour, Committee Coordinator

#### 1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock p.m. and the Windsor Licensing Commission considers the Agenda being Schedule "A", *attached* hereto, matters which are dealt with as follows:

#### 2. Minutes

Moved by Councillor Elliott, seconded by J. Fathers,
That the minutes of the Windsor Licensing Commission of its meeting held
October 25, 2017 **BE ADOPTED** as presented.
Carried.

#### 3. Disclosure of Interest

None disclosed.

#### 4. Requests for Deferrals, Referrals or Withdrawals

None.

#### 5. Communications

None.

#### 6. Licence Transfers

None.

#### 7. Applications/Hearings

(a) 1965466 Ontario Inc. o/a Wings Convenience Store – Hospitality Food Service - Lunch

Ms. Rabbia Pandit, applicant is present and available to answer questions.

- C. Robertson provides an overview of this matter as follows:
- On January 27, 2017, Ms. Pandit made application on behalf of 1965466 Ontario Inc. o/a Wings Convenience Store for a Hospitality Food Service – Lunch Counter licence.
- On April 13, 2017, Ken Passa, Supervisor of Environmental Quality attended the property and noted he was unable to open the grease trap (piping to be removed) and advised the owner to contact them when the trap is removed for inspection.
- On September 20, 2107, K. Passa noted the grease trap is still under the sink and cannot be properly inspected. A denial is issued.
- It is not in the public interest to issue a licence since they have outstanding issues with the Public Works Department that they have failed to correct.

Ms. Rabbia Pandit states as a new owner and lessee, there were previous issues with the grease trap which she acquired. She adds a hot water line has been installed which had not been installed previously.

K. Passa indicates the grease trap is not accessible to the inspector. The top is difficult to remove and he recommends the grease trap be moved to allow for accessibility and to be maintained on a regular basis.

Moved by Councillor Elliott, seconded by Councillor Borrelli, WLC7/2017 That the grease trap system for 1965466 Ontario Inc. o/a Wings Convenience Store, 572 Mills Street, Windsor, Ontario; BE RETROFITTED to allow for accessible inspection and for regular maintenance; that an extension of time of 30 days BE GRANTED to undertake this work; that the applicant contact the Public Works Department for an inspection and further, that the Hospitality Food Service – Lunch Counter licence BE REFUSED if not in compliance.

Carried.

#### (b) 2207113 Ontario Inc. o/a Downtown Auto - Automobile Service Station

Mr. Mohsen Farahat, applicant is present and available to answer questions.

- C. Robertson provides the highlights of the application for an Automobile Service Station as follows:
  - The By-law Enforcement office has identified that the licensee is not operating within the guidelines under Schedule A3 of Business Licensing By-law 395-2004.
  - The By-law Enforcement office has issued two separate deficiency letters and has provided detailed instructions to bring the business operation into compliance.
  - The licensee has done very little to improve the conditions.
  - It is in the interest of public safety to suspend the licences associated with Mr.
     Farahat's business until the premise is brought into compliance as requested by the By-law Enforcement office.
- Mr. Farahat advises he moved to the 939 Giles Boulevard West location in 2016 and adds the cleanup on the property is 95 percent complete.
- D. Flacks, By-law Enforcement Officer visited the site on November 21, 2017 and ranked the property as 60 percent cleaned up. He adds when he was approaching the business, several neighbours expressed concern that the city is doing nothing with this property. He notes Mr. Farahat has had three months to clean the premises.

Moved by Councillor Elliott, seconded by Councillor Borrelli, WLC8/2017 That Automobile Service Station — Repairs licence #17 178777 & Automobile Service Station — Storage/Sales licence #17 178781, issued to 2207113 Ontario Inc. o/a Downtown Auto Center, BE SUSPENDED until the licensee operates in compliance with Business Licensing By-law 295-2004 to the satisfaction of the By-law Enforcement office,

And further, that Automobile Service Station – Repairs licence #17 178777 & Automobile Service Station – Storage/Sales licence #17 178781, issued to 2207113 Ontario Inc. o/a Downtown Auto Center, **BE REVOKED** should the licensee fail to comply within thirty (30) days from the date of this decision.

Carried.

#### 8. Reports and Administrative Matters

#### (a) Expired Application(s) for Business Licence

Moved by Councillor Borrelli, seconded by G. Conte,
That the report of the Supervisor of Licensing dated November 9, 2017 entitled
"Expired Application(s) for Business Licence" **BE RECEIVED.**Carried.

#### 9. In Camera

No In Camera session is held this day.

#### 10. Date of Next Meeting

It is generally agreed the meeting scheduled for December 27, 2017 be cancelled.

The next meeting will be held on Wednesday, January 24, 2018 at 9:30 o'clock a.m. in the Council Chambers.

### 11. Adjournment

There being no further business, the meeting is adjourned at 10:10 o'clock a.m.

|  | CHAIR     |
|--|-----------|
|  |           |
|  | SECRETARY |

## AGENDA

## WINDSOR LICENSING COMMISSION

For a meeting on Wednesday, November 22, 2017 at 9:30 o'clock a.m.
Windsor City Hall, 350 City Hall Square West
3<sup>rd</sup> floor – Council Chambers

| 1. | CALL | TO | OR | DE | R |
|----|------|----|----|----|---|
|----|------|----|----|----|---|

#### 2. MINUTES

Adoption of the minutes of the meeting of the Windsor Licensing Commission held October 25, 2017 (*copy attached*).

- 3. DISCLOSURE OF INTEREST
- 4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS
- 5. COMMUNICATIONS

None.

#### 6. LICENCE TRANSFERS

None.

#### 7. APPLICATIONS/HEARINGS

- (a) 1965466 Ontario Inc. o/a Wings Convenience Store -Hospitality Food Service - Lunch
- (b) 2207113 Ontario Inc. o/a Downtown Auto Automobile Service Station

#### 8. REPORTS AND ADMINISTRATIVE MATTERS

#### (a) Expired Application(s) for Business Licence

The report of the Supervisor of Licensing dated November 9, 2017 entitled "Expired Application(s) for Business Licence" is *attached*.

#### 9. IN-CAMERA AGENDA

No In Camera session.

#### 10. DATE OF NEXT MEETING

The next meeting is scheduled for December 27, 2017 at 9:30 a.m. in the Council Chambers,  $3^{\rm rd}$  floor, City Hall.

#### 11. ADJOURNMENT

#### WINDSOR LICENSING COMMISSION

February 28, 2018

#### APPLICANT/LICENSEE:

Mr. Walter Bezzina, Power of Attorney for Mr. Abdul Fakomi, Executor for the Estate of the Late Frank Adeboyeku c/o Vet's Cab 350 Tuscarora Street Windsor, ON N9A 3L7 Transferor & Mr. Ahmad Shakib 2561 Olive Road Windsor, ON N8T 0B1

#### LICENCE CATEGORY:

Taxicab Plate #216

Plate Holder licence 17 149992

Folder # ACLT/13059

#### **HEARING PARTICULARS:**

Transfer of Taxicab Plate #216

Transferee

#### APPENDED MATERIALS

- Application from plate holder requesting transfer, being Appendix "A"
- Application for plate transfer transferee application, being Appendix "B"

#### LICENCE COMMISSIONER'S COMMENTS

Mr. Walter Bezzina, Power of Attorney for Abdul Fakomi, Estate Trustee for the late Frank Adeboyeku, submitted the attached application (Appendix "A") for the prospective transfer of Taxicab Plate #216 to Ahmad Shakib.

#### REGULATORY AUTHORITY

Schedule 5, Part VII, Section 20.1 through 20.4 of Licensing By-law 137-2007 states:

- "20.1 Except as approved by the Licensing Commission, a taxicab plate holder may not transfer a taxicab plate and associated taxicab plate holder licence for a period of at least five (5) years from the date of issue of the licence.
- 20.2 No taxicab plate holder licence shall be transferred without the approval of the Licensing Commission.
- 20.3 No taxicab plate holder licence shall be transferred until the person to whom the transfer is to be made has first received approval from the Licence Commissioner as a licensee.

20.4 Subject to the restrictions herein, taxicab plates numbered 001 to 224 are transferable, provided that:

- (a) the transferee satisfies the eligibility criteria for inclusion on the Drivers' List;
- (b) the transferee signs a form of statutory declaration prescribed by the Licence Commissioner;
- (c) the transferor has completed a written application for the transfer in the prescribed form;
- (d) the transferee satisfies the requirements of a taxicab plate holder under this By-law, including submitting for inspection the taxicab to which the plate will be affixed;
- (e) the transferee pays all fees required under this By-law;

and the transferee will receive a taxicab plate holder licence at the time of transfer of the taxicab plate."

Further, Section 21.3 states:

"A taxicab or taxicab wheelchair accessible vehicle plate holder who has held a licence for a minimum of one (l) year may lease the taxicab or taxicab wheelchair accessible vehicle licence on a daily, weekly, monthly or yearly basis provided that:

(a) the lessee is licensed by the City of Windsor as a taxicab driver;

(b) all weekly, monthly or yearly leases are filed with and approved by the Licence Commissioner and shall be subject to such terms and conditions the Licence Commissioner may require;

(c) the amount charged under the lease shall be a fair fee as approved by the Licence Commissioner and no additional charges shall be made against the

lessee;

(d) the lease agreement shall include a statement that the leasing agreement is considered null and void in the event that the lessor or lessee, either by written or verbal agreement, sub-leases the taxicab or taxicab wheelchair accessible vehicle or transfers responsibility for the operation of the taxicab or taxicab wheelchair accessible vehicle to a third party;

(e) the lease agreement shall contain a clearly-stated right of the lessor and

lessee to early termination of the lease;

(f) where the lessee is a corporation, the lessee shall, at the time at which the lease is filed with the Licence Commissioner in accordance with the provision of this section, file with the Licence Commissioner a form supplied by the Licence Commissioner and a copy of the lessee's articles of incorporation, amendment or amalgamation; and,

the lease term shall be a minimum of twelve (12) months and a maximum of

twenty-four (24) months."

#### BACKGROUND

(g)

• January 25, 2018, transfer application and fee was received from Mr. Walter Bezzina, Power of Attorney for Abdul Fakomi, Estate Trustee for the late Frank Adeboyeku, being Appendix "A"

January 25, 2018, transferee application for Mr. Ahmad Shakib was submitted, being

Appendix "B".

#### **SUMMARY**

According to the AMANDA database, Mr. Frank Adeboyeku had been a taxi plate holder annually from 2007 until his death on January 16, 2016 at which time the plate was transferred to and has been maintained by Mr. Adeboyeku's Estate.

It is being requested that Taxicab Plate #216 be transferred to Mr. Ahmad Shakib, who is currently not a licensed plate holder. Further, Licensing records indicate that Mr. Shakib has been licensed as a taxicab driver since 2001. Mr. Shakib also holds a current place on the Taxicab Driver's Waiting List which qualifies him to be a Taxicab Plate Holder.

Administration is prepared to recommend that the transfer be completed pending the following outstanding items:

Mr. Ahmad Shakib must provide:

- (a) Verification of an appropriate vehicle to which he will affix taxicab plate #216
- (b) A completed Plate Holder application and pay the associated fee
- (c) Verification that full compensation has been made to the Estate of Frank Adeboyeku in consideration of the transfer of taxicab plate #216

#### RECOMMENDATION

**THAT** the transfer of Taxicab Plate #216 from The Estate of Frank Adeboyeku to Mr. Ahmad Shakib **BE APPROVED** with the following conditions:

- Mr. Ahmad Shakib be given thirty (30) days from the date of this decision to submit a
  vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Ahmad Shakib must submit a Plate Holder application and pay the applicable fee.
- Mr. Ahmad Shakib shall provide verification that full compensation has been made to the Estate of Frank Adeboyeku in consideration of the transfer of taxicab plate #216.
- Mr. Ahmad Shakib shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

| DISPOSITION: |   |  |  |
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#### OFFICE OF THE CITY CLERK

#### Policy, Gaming & Licensing

350 City Hall Square West - Suite 203 Windsor, ON N9A 6S1 Fax (519) 255-6868 Ph: (519) 255-6200, Option 1 www.citywindsor.ca

#### TAXICAB PLATE TRANSFER TRANSFEROR

YEAR:

VIN:

MAKE & MODEL:

**COMPANY NAME:** 

PLATE TRANSFER FEE \$400.00

Pursuant to Public Vehicle Licensing Bylaw 137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am the Plateholder of the City of Windsor Taxicab Plate No. 26 and I wish to transfer my plate in accordance with Bylaw 137-2007. I am currently licenced as a Plateholder with respect to the operation of the following vehicle:

BE DETERMINED

|                   | PLEAS        | SE PRINT CLEARI              | LY          |
|-------------------|--------------|------------------------------|-------------|
| NAME:             | RANK) 1      | ADEBOYE                      | KIL.        |
| SIGNATURE:        | Mon          | m                            | 11 P.O.A    |
| ADDRESS: 35       | 0 Tusc       | ARO RA                       |             |
| CITY:<br>WINDS 01 | POSTAL CODE: | HOME PHONE:<br>7 519-256-186 | CELL PHONE: |

By making this application for transfer, I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

#### NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Windsor Licensing Commission. The name is public information. Any other personal information collected will only be used for investigative purposes. Questions about this collection can be made to the Deputy-Licence Commissioner, 350 City Hall Square West, Room 203, Windsor, ON N9A 6S1 / (519) 255-6200, Option 1.

OFFICE USE ONLY

DATE STAMP

JAN 25 2018

STAFF INITIALS:

POLICY GAMING & LICENSING



#### OFFICE OF THE CITY CLERK

#### Policy, Gaming & Licensing

350 City Hall Square West - Suite 203
Windsor, ON N9A 6S1
Ph: (519) 255-6200, Option 1 Fax (519) 255-6868
www.citywindsor.ca

## TAXICAB PLATE TRANSFER TRANSFEREE

Pursuant to Public Vehicle Licensing By law #137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am interested in receiving City of Windsor taxicab plate No. 216 and I have reached an agreement with the current plateholder.

#### PLEASE PRINT CLEARLY

| NAME (PRINT CLEARLY): |              |             |             |
|-----------------------|--------------|-------------|-------------|
|                       | AHMAD        | SHAKIB      | *           |
| SIGNATURE:            | 9:           |             |             |
|                       | <u> </u>     | ₩.          | g at        |
| ADDRESS:              |              |             |             |
| 256                   | 1 OLIVE      | ROAD        |             |
| CITY:                 | POSTAL CODE: | HOME PHONE: | CELL PHONE: |
| WINDSOR               | N8TOBI       |             |             |

By making this application for transfer:

- I hereby declare that I satisfy the eligibility criteria for inclusion on the Drivers' List.
- I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

#### NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Windsor Licensing Commission. The name is public information. Any other personal information collected will only be used for investigative purposes. Questions about this collection can be made to the Deputy Licence Commissioner, 350 City Hall Square West, Room 203, Windsor, ON N9A 6S1 / (519) 255-6200, Option 1.

J9726/18
DATE (MM/DD/YYYY)
SIGNATURE OF APPEICANT

\_\_\_\_

RECEIVED

DATE STAMP

JAN 25 2018

STAFF INITIALS:

OFFICE USE ONLY

POLICY GAMING & LICENSING

#### WINDSOR LICENSING COMMISSION

February 28, 2018

#### APPLICANT/LICENSEE:

Mr. Misbahul Mishu Kabir 609 St. Joseph Street Windsor, ON N9C 3H3

#### LICENCE CATEGORY:

Taxicab Driver Licence 17-145110

Folder #ACLT/13069

#### **HEARING PARTICULARS:**

Taxicab Driver Licence Review

#### APPENDED MATERIALS

- Copy of Taxicab Driver licence, being Appendix "A"
- Copy of Complaint received on Jul 20, 2017, being Appendix "B"
- Copy of Complaint received on Nov 9, 2017, being Appendix "C"
- Copy of Complaint received on Dec 27, 2017, being Appendix "D"
- Written statement from Complainant 'B', being Appendix "E"
- Written statement from Complainant 'C', being Appendix "F"
- Written statement from Complainant 'D', being Appendix "G"
- Copy of registered letter sent to Mr. Kabir, being Appendix "H"

### LICENCE COMMISSIONER'S COMMENTS

On July 20, 2017, November 9, 2017 and December 27, 2017 complaints were called into 311 and transferred to By-law Enforcement, regarding the conduct of Mr. Misbahul Mishu Kabir, broker, plate holder and driver of Taxicab Plate 300. AMANDA licensing records show that Mr. Misbahul Mishu Kabir has been a licensed taxi cab driver in the City of Windsor since 2007 (17-145110).

#### REGULATORY AUTHORITY

Public Vehicle Licensing By-Law 137-2007

#### Power and Duties of the Licence Commissioner

The Licence Commissioner has authority to:

- (a) inspect those parts of any house, place or premises which may be used for the carrying on the licensed activity;
- (b) inspect goods, wares, merchandise, articles, books, records or other documents relating to the licensed activity;

Owners, Part IV - Obligations And Responsibilities

Schedule 5, Taxicab Drivers, Brokers, Taxicab and Taxicab Wheelchair Accessible Vehicle

(k) if issuing the licence is not in the public interest.

carried on in accordance with the law or with honesty and integrity; or,

employees or agents affords reasonable cause to believe that the business will not be

(j) if in the case of a corporate applicant or licensee, the conduct of its officers, directors,

(i) if the geographic location of the business does not meet land use requirements;

accordance with the law or with honesty and integrity;

believe that the applicant or licensee will not carry on or engage in the business in (h) if the conduct or character of the applicant or licensee affords reasonable cause to

not paid the required application fee;

(8) if the applicant has outstanding fees or fines owing to the City, or if the applicant has (f) upon such grounds as are set out in this By-law;

with this By-law;

originally provided its approval that indicates that the licensee is no longer in compliance (e) if, subsequent to the issuance of the licence, a report is filed by any body which application for issuance or renewal are false;

there are reasonable grounds to believe any of the statements made on the

(c) where the licensee or applicant is in breach of any of the provisions of this By-law;

(b) where the licensee or applicant is in breach of a condition of the licence;

(a) for any reason that would disentitle any licensee to a licence;

impose conditions on any licence under this By-law:

43. At the heaving, the Licensing Commission may suspend, revoke, and refuse to issue or

registered mail to the address shown on the application or licence.

this section, notice to the applicant or licensee shall be written notice served personally or by boards, commissions, authorities and agencies having an interest in the recommendation. Under recommendation to the applicant or licensee as well as to such other persons, civic departments, Commissioner shall give notice of the intended recommendation and the reasons for the intended refuse to issue, refuse to renew, place conditions on, revoke or suspend a licence, the Licence 41. Where the Licence Commissioner intends to recommend to the Licensing Commission that it

enoitibnos to notitisoqui the licence with the imposition of conditions.

(d) revoking the licence; or,

(2) suspending the licence;

(b) refusing to issue or renew the licence;

(a) issuing or renewing the licence;

Commission shall hold a hearing for the purpose of:

40. Where there is a referral to the Licensing Commission pursuant to this section, the Licensing

conditions on the licence.

Commissioner shall recommend to the Licensing Commission that it suspend, revoke or impose a licensee will likely result in a breach of the law or be adverse to the public interest, the Licence 38. Where, in the opinion of the Licence Commissioner, the carrying on of a licensed activity by

place so designated.

(e) ensure that each licensee produces the licensed vehicle for inspection at the time and on the licensed activity be submitted for inspection; and,

(b) require that each vehicle and other personal property used or kept for hire in carrying the licensed activity;

(c) inspect every vehicle and other personal property used or kept for hire in carrying on

driver licensed under this By-law shall:

- (e) be civil and courteous, refrain from using profanity, and offer to assist any passenger when it is evident that the passenger is a person with a disability, elderly or otherwise in need of assistance;
- (p) maintain a trip sheet during every shift, which is to be deposited at the end of each shift with the plate holder of the vehicle, or the broker, who shall maintain same for a period of one (1) year. The trip sheet shall be in a form approved by the Licence Commissioner and shall contain the following information:
  - (i) the name of the owner of taxicab or taxicab wheelchair accessible vehicle plate, and the name of the broker, if any;
  - (ii) taxicab number;
  - (iii) date;
  - (iv) start and end times of each driver's shift;
  - (v) the odometer reading showing on the meter at:
  - (1.) the commencement of each shift; and,
  - (2.) the conclusion of each shift;
  - (vi) the number of trips taken during the shift;
  - (vii) the time of each trip;
  - (viii) pick-up address of each trip;
  - (ix) the destination of each trip; and,

the charge for each trip.

#### BACKGROUND

The following is a synopsis of the investigations completed by By-law Enforcement Officer Elizabeth Culmone:

- July 20, 2017, a complaint is received via 311. Complaint indicates that on July 20, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the taxicab driver did not turn the meter on and stated there is an extra \$5.00 charge for pulling out the wheelchair ramp as the complainant's husband is in a wheelchair. Taxi driver provided a flat rate fee for the complainant to their destination of Casino Windsor.
- November 9, 2017, a complaint is received via 311. Complaint indicates that on November 8, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the driver was verbally abusive and aggressive with the caller. Driver did not take the route requested by the complainant. Complainant also alleges that the driver was speeding and taking sharp turns which in turn spilled her groceries (ice cream) inside the taxi. Driver allegedly became aggressive telling the complainant she would have to clean the cab. Both driver and complainant contacted the Windsor Police as they were disputing the fare amount. Driver allegedly locked complainant inside the taxi when she refused to pay the fare in full due to the meter running while they were arguing.
- December 27, 2017, a complaint is received via 311. Complaint indicates that on December 24, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the driver put their luggage in the rear of the taxi and informed the complainant that the ride will cost \$20.00, prior to the driver knowing the destination. Driver allegedly said, "I don't like all the snow you brought in the taxi, so I'm charging you \$20.00". When complainant refused, as the normal taxi fare is usually around \$12.00, the driver allegedly kicked them out of the cab and refused service.

- Mr. Kabir did not respond to Officer Culmone's phone calls nor does Mr. Kabir have a voicemail system set up on his contact number. Mr. Kabir was therefore sent a letter via Canada Post registered mail and was given 48 hours from receipt of such letter to contact Officer Liz Culmone.
- January 11, 2018 at approximately 1530hrs, Mr. Kabir phoned Officer Culmone. Mr. Kabir's conduct while speaking with Officer Culmone was unprofessional as he was constantly yelling and screaming, which required the intervention of Bill Tetler, Manager of By-Law Enforcement to calm Mr. Kabir enough to listen to Officer Culmone.
- January 16, 2018 at approximately 1550hrs, Mr. Kabir attended 350 City Hall Square West, 4<sup>th</sup> floor and met with Officer Culmone and By-Law Enforcement Officer Daryl Flacks with regards to his complaints. During the meeting Mr. Kabir refuted the claims against him. Mr. Kabir was also given 48 hours to submit trip sheets to Officer Culmone for the incidents in questions. Mr. Kabir originally agreed to submit his trip sheets as required under By-Law 137-2007, however once the meeting adjourned, called Officer Culmone and stated he would not be providing trip sheets.

#### **SUMMARY**

Due to the nature of confirmed complaints received against Mr. Misbahul Mishu Kabir over the last 6 months, Administration is recommending that Mr. Misbahul Mishu Kabir be required to attend the next available Customer Service portion of the taxicab course administered by Checker Cab Company to ensure he fully understands his roles and responsibilities as a taxicab driver as well as the rights of the customer. Administration has reached out to Checker Cab and they have agreed to provide the customer service portion of the Taxicab Driver Education Program at a cost of \$90 plus HST. This course is available Monday to Friday during regular business hours.

#### RECOMMENDATION:

THAT Mr. Misbahul Mishu Kabir of 609 St. Joseph Street, Windsor, ON N9C 3H3, to whom City of Windsor Taxicab Driver licence 17 145110 has been issued, **BE REQUIRED** to retake the customer service portion of the Taxicab Driver Education Program by March 16, 2018. And further, **THAT** the Licensing Department **BE ADVISED** in writing by Checker Cab once the training has been completed. And further, **THAT** Mr. Misbahul Misu Kabir make an appointment and meet with the Supervisor of Licensing and the Manager of By-Law Enforcement by March 30, 2018.

#### AND FURTHER THAT:

**SHOULD** another complaint be submitted to and substantiated by the City of Windsor By-Law Enforcement Office **THAT** the Taxicab Driver licence 17 145110, issued to Misbahul Mishu Kabir **BE** immediately suspended until the next regularly scheduled meeting of the Windsor Licensing Commission.

| DISPOSITION: |  |  |
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|              |  |  |
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Date of Expiry

August 31, 2018

# WINDSOR LICENSING COMMISSION BUSINESS LICENCE

OFFICE OF THE CITY CLERK - LICENSING DIVISION 350 City Hall Square West, Room 203 Windsor, ON N9A 6S1

17 145110

LICENCE COMMISSIONER

| PHONE: (519) 255-6                     | 5200, OPTION 1         | FAX: (519): 255-6868       |            |
|--|------------------------|----------------------------|------------|
| THE ENTITY NAMED HEREIN IS HE          | REBY GRANTED A LICENCE | TO OPERATE THE BUSINESS IN | NDICATED   |
|  | HEREUNDER              |                            |            |
| MISBAHUL MISHU KABIR                   | CONDITION              | S. IF ANY:                 |            |
| 609 ST JOSEPH ST<br>WINDSOR ON N9C 3H3 |                        | 0)/2/2                     |            |
| TYPE OF LICENCE                        | <u> </u>               | ICENCE FEE                 |            |
| TAXICAB/Driver                         | Business Licence Fee   | 110.00                     |            |
|  | Photo Fee<br>HST       | 15.00 New 1.95             |            |
|  | e e                    | Renewal X                  |            |
|  | TOTAL FEE              | 126.95                     |            |
| Date of Issue August 10, 2017          | %<br>#                 | Value Citally              | er<br>Sant |

Issuer Janna Tetler

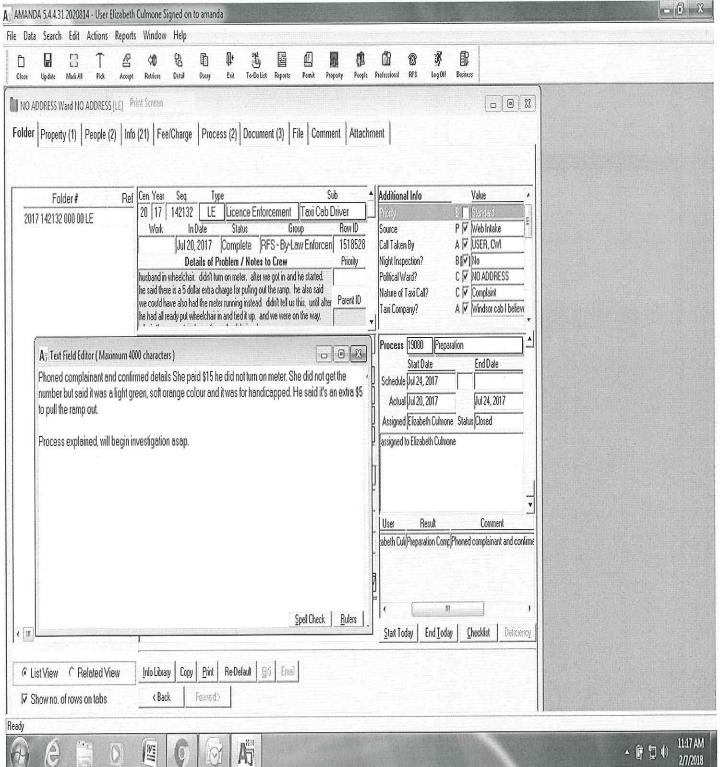
Appendix "A"



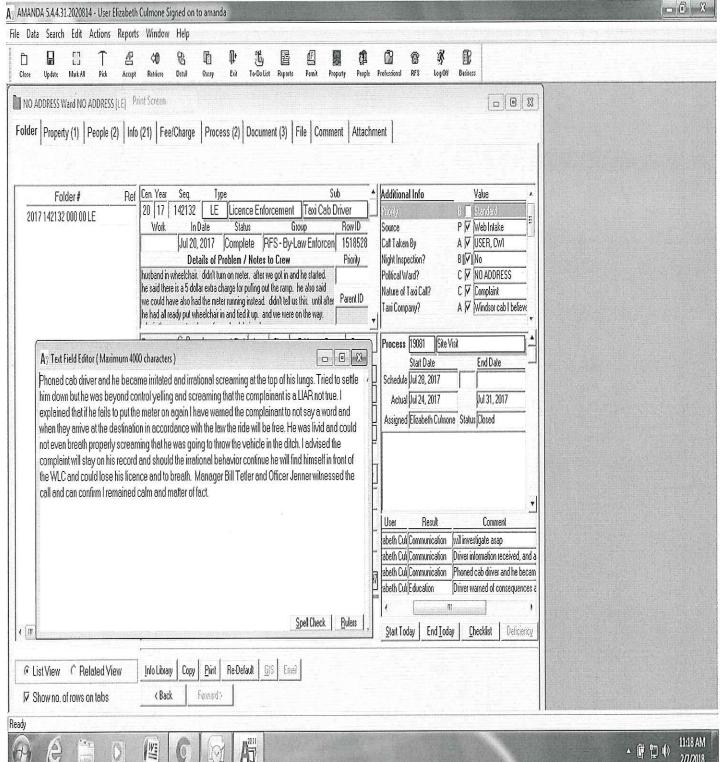
## **REQUEST FOR SERVICE**

## CITY OF WINDSOR

| Problem Type: Lice        | nce Enforcement - Taxi Cab Driver   | Sequence #: 17 142132 LE  |  |  |
|---------------------------|---|---|--|--|
| Details of Problem        | a 5 dollar extra charge for pulling out the meter running instead. didn't tell us this. | eter. after we got in and he started. he said there is e ramp. he also said we could have also had the until after he had all ready put wheelchair in and is there an extra charge for a wheelchair cab |  |  |
|                           | Nature of Taxi Call?: Complaint   |   |  |  |
|                           | Taxi Company?: Windsor cab I believe.   |   |  |  |
|                           | though think he is independen   | it.   |  |  |
|                           | Taxi Number?: 300   |   |  |  |
|                           | Time of Occurrence?: 4:40 PM  |   |  |  |
|                           | Date of Occurrence?: 2017-07-11 00:00:00  |   |  |  |
|                           | Location of Pick-Up?: train station   |   |  |  |
| Problem Location          | Longon DIDRAS off?: Windsor casino.   |   |  |  |
| Property Owner<br>Address |   |   |  |  |
| Roll#                     |   | Zoning  |  |  |
| Legal Description         | This property was created for the 311 call centre.                                      |   |  |  |
| Caller                    | First Name: AMY Last Name: OSBORNE Address:   | Phone Number 1: Phone Number 2: e   |  |  |
|                           |   | ON  |  |  |
| Call Received             | Jul 20, 2017 By: USER, CW   | I 311 Service Request #: 17-00029381  |  |  |
| Task                      | Site Visit Closed   | Previously Assigned To:   |  |  |
| Assigned To               | Elizabeth Culmone   | 5.  |  |  |
| Date Assigned             | Jul 28, 2017  |   |  |  |
| Result                    |   |   |  |  |
|                           |   |   |  |  |
|                           |   |   |  |  |
| Comments                  |   |   |  |  |
|                           |   |   |  |  |
|                           | Temporary Repair? Yes or No   | Complainant Advised? Yes or No  |  |  |
|                           | D   | Signada   |  |  |



M

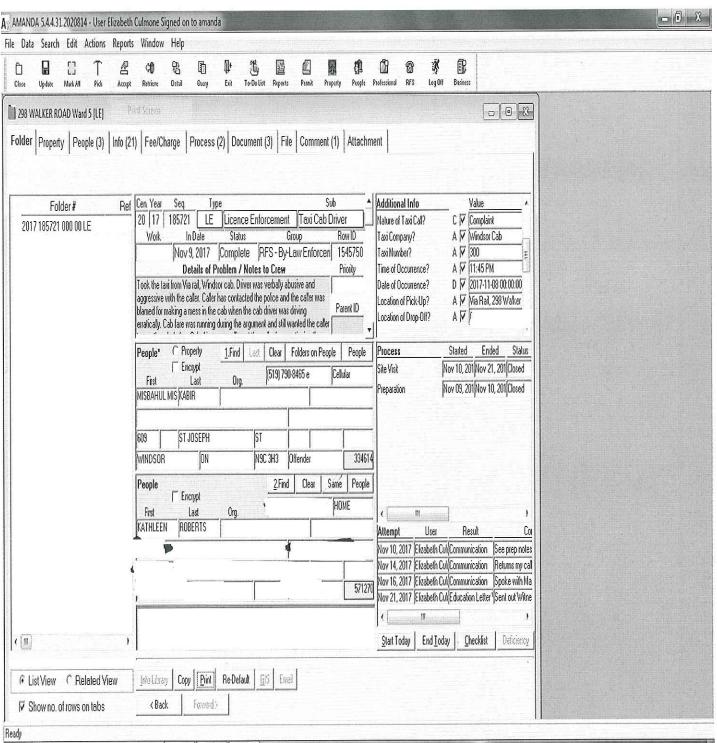


90

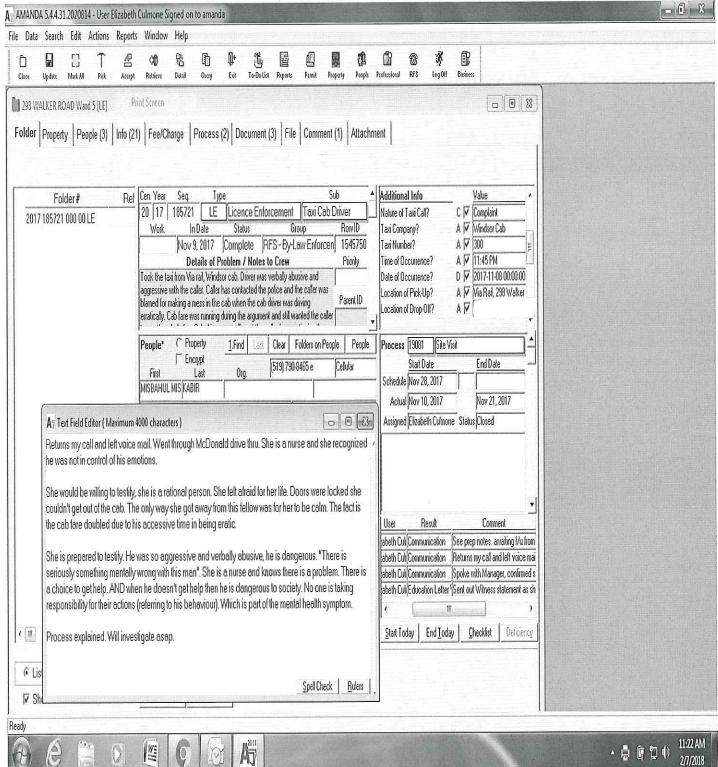
11.5

3

11:18 AM 2/1/2018



Ready
- 点 译 ② 图 A5 11:22 AM 2/1/2018



W

Complainant Advised? Yes or No

Signed: -



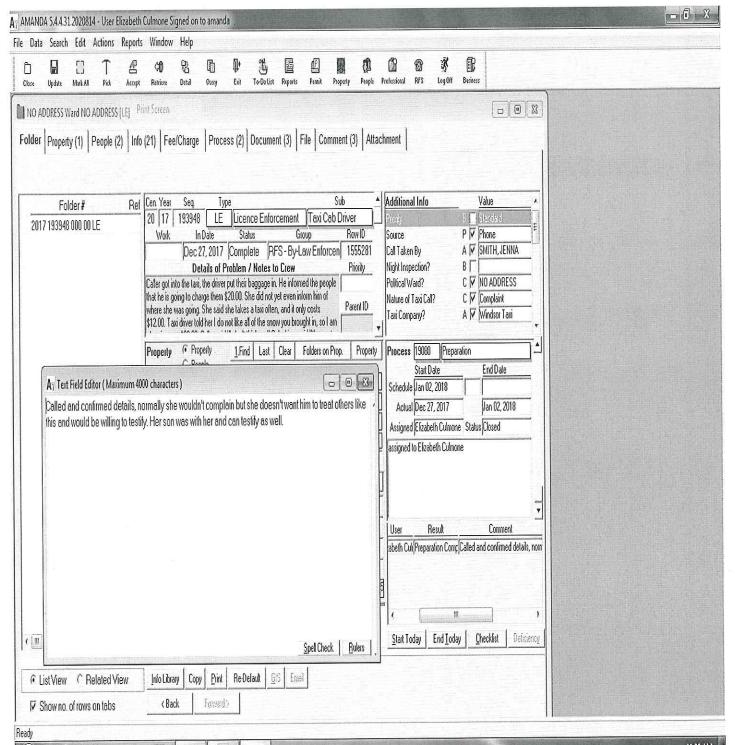
## REQUEST FOR SERVICE

#### CITY OF WINDSOR

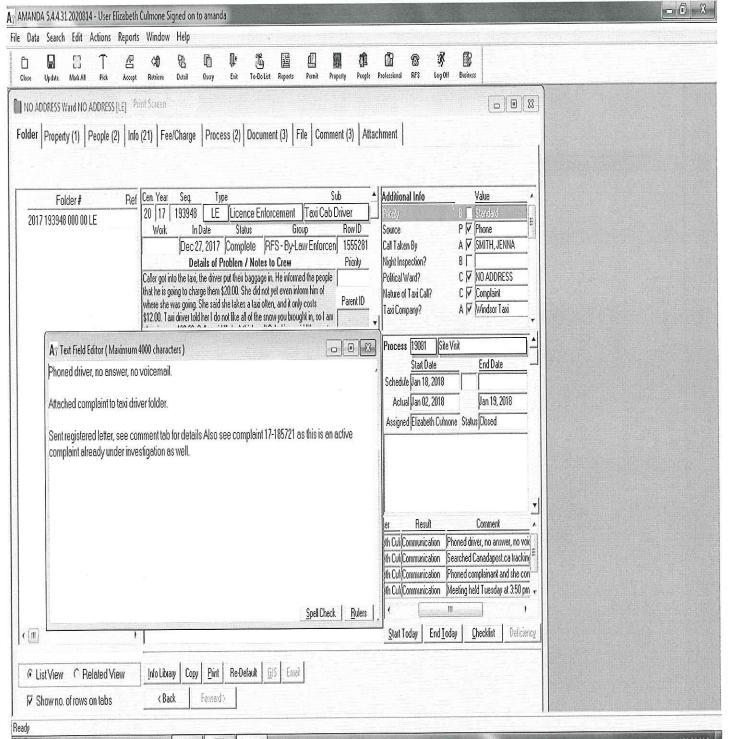
| THE PARTY NAMED IN COLUMN |  |   |
|---------------------------|--|---|
| Problem Type: Lice        | nce Enforcement - Taxi Cab Driver  | Sequence #: 17 193948 LE  |
| Details of Problem        | Caller got into the taxi, the driver put their bagoing to charge them \$20.00. She did not yet said she takes a taxi often, and it only costs \$ the snow you brought in, so I am charging yo driver said "then get out of my taxi and take a Nature of Taxi Call?: Complaint  Taxi Company?: Windsor Taxi  Taxi Number?: 300  Time of Occurrence?: 10:30 PM  Date of Occurrence?: 2017-12-24 00:00:00  Location of Pick-Up?: Via Rail Train Station | even inform him of where she was going. She 12.00. Taxi driver told her I do not like all of u \$20.00. Caller said "I don't think so." Cab |
| Problem Location          | NO ADDRESS   |   |
| Property Owner<br>Address |  |   |
| Roll#                     |  | Zoning  |
| Legal Description         | This property was created for the 311 call co  | entre.  |
| Caller                    | First Name: AUDREY Last Name: WILSON Address:  | Phone Number 1: 4  Phone Number 2: e  |
| Call Received             | Dec 27, 2017 By: SMITH, JENNA  | 311 Service Request #: 17-00058531  |
| Task                      | Site Visit Closed  | Previously Assigned To:   |
| Assigned To               | Elizabeth Culmone  |   |
| Date Assigned             | Jan 18, 2018   |   |
| Result                    |  |   |
| Comments                  |  |   |

Temporary Repair? Yes or No

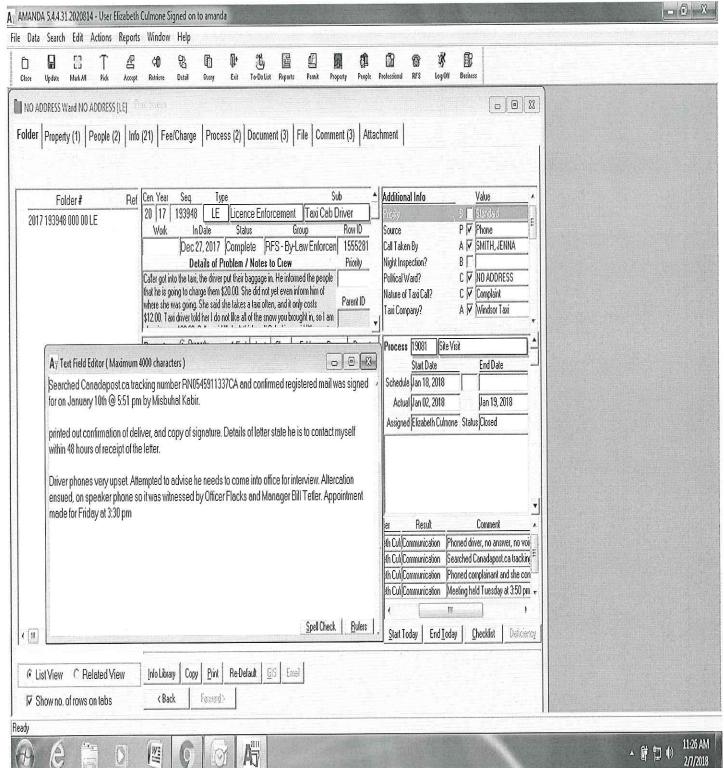
Date: -



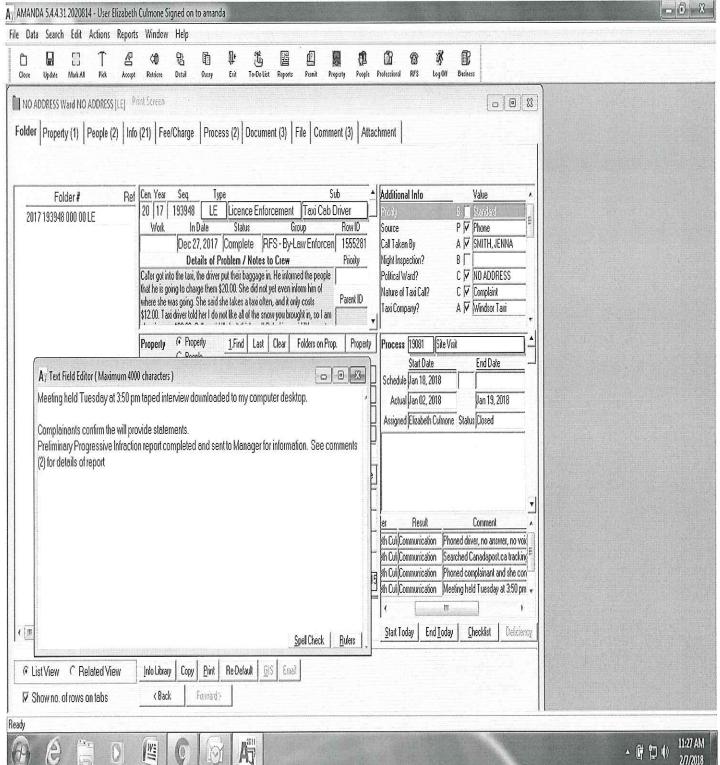
WE STATE

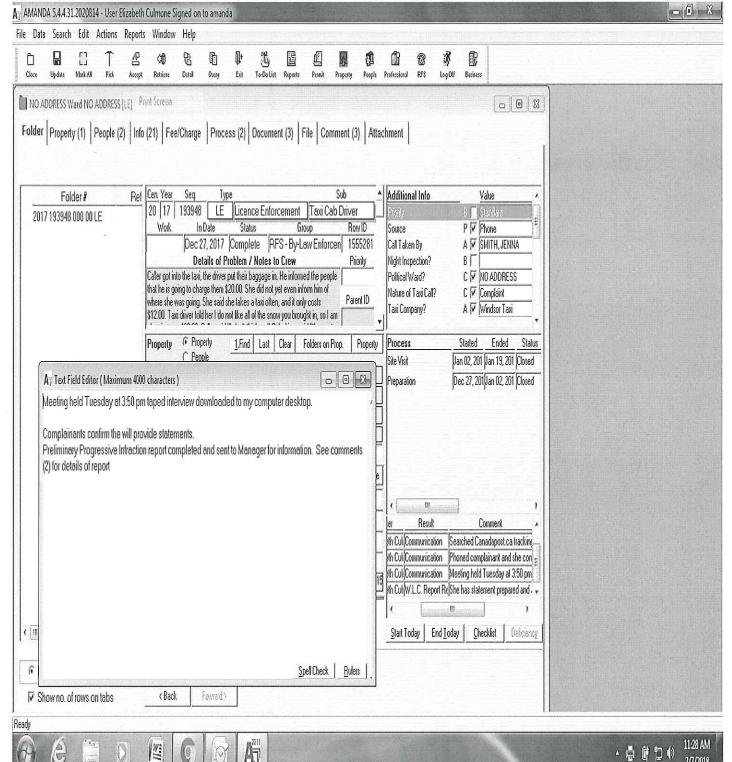


W.



N.





My husband and I arrived from out of town at the via rail station in Windsor, Ontario on July 11, 2017. The address of the via rail station is: 298 Walker Rd, Windsor, ON N8Y 2M9.

My husband is in a power wheelchair so we needed an accessible cab.

We wanted to go to the casino the address is: 377 Riverside Dr E, Windsor, ON N9A 7H7.

It was my husband and myself. I am not in a wheelchair. Plus we had one bag with us that was on wheels since we were coming in from out of town.

We were deciding on how to get to the casino from the train station when we saw an accessible cab.

The cab was a Windsor cab the number is 300.

So Windsor cab 300.

The man said there was a 5.00 dollar fee that he said was extra for pulling out the ramp for the wheelchair. I thought this wasn't right so I asked him why there was a 5.00 dollar fee and he said that the city of Windsor said that he could do this and that it was okay for him to do this.

The time was 4:40 pm July 11, 2017

It was around 4:40 pm by now. It was so hot and we were tired from our long train ride so we agreed and got in.

He then asked where we were going so we told him the casino

He asked me how much I thought it would be to go to the casino i told him it would be ten dollars and then he said ok but he had to add the 5.00 dollars to the ride because of the ramp thing.

We agreed to pay 15.00 dollars for the ride.

He was grumbling the whole time he was strapping my husband down.

He took off and he didn't turn on the meter. Which I later learned that if the meter wasn't running that I should have had the ride for free.

All he did on the ride was complain, complain, and complain. He complained about handi transit saying how awful there were, about cab companies in general.

He also said in this ride that we could have chosen to run the meter while he was tying my husband up because of the wheelchair instead of the 5.00 dollar fee.

Also on the ride he accused us of reporting him before which we hadn't reported him before. The reason I reported him this time was because I didn't think it was right for him to charge extra money just because my husband was in a wheelchair. Other cities like Toronto and Mississauga don't charge extra for the fact that you are in a wheelchair so I didn't think it was fair that Windsor or this cab driver did. That just didn't seem fair. These are the reasons I decided to write to the city of Windsor by enforcement office. I don't think this gentleman should be driving an accessible cab for the city of Windsor. He takes advantage of people, and takes advantage of people who are in wheelchairs. Something needs to be done about this. What he is doing isn't right and he should have some consequence for his actions.

Thanks.

Todays date is: Janurary 12, 2018 10:35 am.

My name is Amy Osborne

My husband is Joshua Osborne.

He is the one in the power wheelchair.

Our address is:

Home phone number is

Amy Osborne

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## CITY OF

STATEMENT

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|-----|-----|
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OF

PAGE(S):

|  | WINDSOR              | REPO  | TINUAT<br>DRT | TION           | FIL   | E#: RF     | 11-185721 |
|--|----------------------|-------|---------------|----------------|---|------------|-----------|
| Location Staten  | nent recorded:       |       |               | Date of S      | tatemen                                     | t <b>:</b> |           |
| Victim:  | Family name: Roberts |       | Given 1       | name(s):       | hleen                                       | Rache      | Sex:      |
| Witness:   | Date of birth:       | ì     | Contac        | t number:      | -   |            |           |
| Address:   | Cit                  | ty:Wi | ndsor         | Province       | : ON  |            |           |
| Recording Offic  | cer:                 | Depar | tment: E      | nforcement Dep | artment                                     | Emplo      | yee#      |
| On Nov 9,200) Taxi taken from Walan to Home Address  Last Train 11:45  Last Train 11:45  Language Sast and dolont take coute regarded to  Language Sast and dolont take coute regarded to  Language March & to Could Supplie Drug March of Mc Donalds.  Druce with to Markin 1st 1 then book that of mc Donalds. Land  aware fair Tunning during Dru Though - Ok  - Druce Too. I took very steep than fast - All had a Bac Flew to  Font (Part) of Rollin - Near come pilled  I had to have anto seat.  - Told Driver disort training of Land Driver became to yell And Soud  I had to clean up ton! Convenient in Model to affective wy Wyndish East  while against Cook fair increasing about arguing Driver became verbally  aggress Re & argued all the way of training to Driver became verbally  - Driver are locked, me in tay when Thought int pay full diment  After see increased while bover yelling at me  - He colled phase  - I gave him \$10.00 the blamed me for Van door being locked.  Mote: I Did Not FEEL SAFE. I had to remain calm  inarder to get home I mas coulty shakks by this Department  And talked to Riches well.  And Kind of Abous - Verball, Physical etc. is un acceptable. |                      |       |               |                | A Sold East  Mensally  According  Georience |            |           |
| Witness Signa  | ture:                |       | Date sign     | ied:           |   |            | Гime:     |
| Recording Off  | icer's Signature:    |       |               | Date comple    | ted:  |            |           |
| Witness Name   | e (print):           |       |               | Witness Sign   | nature:                                     |            |           |

why \$60,00. His comes was I don't when all the said well get and of my son one to the said well get and of my son the said well get and the sa we god off the train around 10:18 Em to whom It May Concern? Wend to set take. The driver ead you can come here. So we was and get in after we got in told well My Son and I were traveling from night d' was snowing after we got toxis \$\$2+0 64,00 depending on Hanne so of said you he said it am soul knew you was told the deriver snow windsor Chetter to windsor on December Cimada Ut smaous here. Windsor Audey 23 loca over Appendix "G" you, 24 2018 2017



## Office of the City Clerk

Policy, Gaming, Licensing & By-law Enforcement Valerie Critchley, City Clerk & Licence Commissioner

January 4, 2018

#### REGISTERED MAIL

RFS 17-185721

Mr. Misbuhal Mishu Kabir 609 St. Joseph Street Windsor, ON N9C 3H3

Dear Mr. Kabir;

This office has received two complaints regarding your recent service as a Taxicab Driver. In accordance with policy and procedure, I have attempted to contact you on several occasions to request a meeting with you to discuss these matters. Unfortunately we have been unable to reach you and voicemail isn't available.

Therefore, you are requested to contact me within 48 hours of receiving this letter to arrange a meeting to discuss these allegations. Please contact me forthwith at the number listed below to arrange an appointment.

Sincerely,

## Elizabeth Culmone, CMM

By-law Enforcement Officer Policy, Gaming, Licensing, & By-Law Enforcement 519-255-6100 x6930 EC/

## WINDSOR LICENSING COMMISSION

February 28, 2018

#### APPLICANT/LICENSEE:

Ms. Sara Amrou Windsor Cruze Limousines Ltd. 4850 North Service Road East Windsor, ON N8T 3P3

#### LICENCE CATEGORY:

Livery Vehicle Class B – Limousine

Licence # 18 111221

Folder #ACLT/13071

#### **HEARING PARTICULARS:**

Approve application with conditions - Livery Vehicles, Class B

#### APPENDED MATERIALS

- Copy of Application, being Appendix "A"
- Copy of Business Ownership Declaration, being Appendix "B"
- Copy of market study, being Appendix "C"
- Copy of rate schedule, being Appendix "D"
- Copy of photos of the proposed livery vehicle, being Appendix "E"
- AMANDA "screen shot" showing the number of licensed Class 'B' Livery Vehicles, being Appendix "F"

### LICENCE COMMISSIONER'S COMMENTS

A new application for a Class "B" Livery Vehicle licence was submitted on February 2, 2018 by Ms. Sara Amrou of Windsor Cruze Limousines Ltd., 4850 North Service Road East, Windsor. The Licensing Division has no past records for this business. Currently there are 3 Class "B" Livery Vehicle licensed in the City of Windsor.

#### REGULATORY AUTHORITY

The pertinent sections of Schedule 3 to By-law 137-2007 relating to this application state:

- The following limit on the number of licences shall be established and reviewed by "2.1 the Licensing Commission from time to time:
  - Class B Limousine (a)

25 units

Class C - Executive (b)

15 units

Class D - Van (c)

30 units

Class E - Pedicab

10 units

(d)

12 units"

Class F - Horse Drawn Carriage (e)

Applicants for livery plate holder licenses in the first instance shall provide to the "4.1

- (a) type and number of vehicles to be operated;
- (b) details of the nature of the operation;
- (c) market studies or other information to justify the need for the service within the current marketplace, including details of any specific contracts for the service;
- (d) an assessment of the impact of the proposed service on existing "for hire" transportation services in the municipality; and,
- (e) rate structure proposed for the service for comparison with existing, competing services."
- "4.2 In addition to the requirements in 4.1, as may be applicable, no livery vehicle plate and associated livery plate holder licence shall be issued under this By-law until the following requirements have been met:
  - (b) The applicant shall file with the Licence Commissioner evidence of ownership of such livery vehicle and proof that the livery vehicle to be licensed under this By-law has a valid vehicle permit issued under the Highway Traffic Act and is either registered in the name of the applicant or leased to the applicant;
  - (e) the applicant shall file with the Licence Commissioner a safety standards certificate issued within 30 days of the date of the applicant's application;"
- "9.1 Every applicant for a livery vehicle plate holder licence shall file with the Licence Commissioner either a copy of the insurance policy or a certificate of insurance in respect of the livery vehicle which insurance shall meet the following requirements:
  - (a) issuance by an insurer duly authorized to issue insurance within the Province of Ontario;
  - (b) for each livery vehicle, liability coverage is in the amount of not less than THREE MILLION DOLLARS (\$3,000,000.00) for personal injury or property damage arising out of any one accident or occurrence;
  - (c) it shall not be cancelled by the insurer until after fifteen (15) days written notice of such cancellation is given to the Licence Commissioner; and,
  - (d) the owner of the livery vehicle shall be named as the insured and all insured livery vehicles shall be listed and described."
- 10.8 All Class B, and C livery vehicles shall not exceed twelve (12) model years in age. (Amended by By-law 130-2011, dated July 4, 2011)

#### BACKGROUND

The following is an itemized list of documents submitted on February 2, 2018 on behalf of Windsor Cruze Limousines Ltd.:

- An application for a Class "B" Livery Vehicle, copy attached as Appendix "A".
- Copy of market study, copy attached as Appendix "C"
- Copy of rate schedule, copy attached as Appendix "D"
- Copy of photos of the proposed livery vehicle, copy attached as Appendix "E"

# **SUMMARY**

Currently there are 3 Class "B" Livery Vehicles licensed in the City of Windsor. Therefore, we are within the 25 vehicle limit contained in By-Law 137-2007.

Ms. Amrou has purchased the vehicle that the licence is being requesting for, being a 2007 Lincoln Executive Town Car limousine (V.I.N. 1L1FM88W07Y621530). The applicant has been made aware that should her application be approved, she must satisfy all requirements detailed in Schedule 3 to By-Law 137-2007 for the vehicle.

As noted in the regulation section, the Licensing Commission must review all new applications. The applicant has agreed to comply with all the requirements listed in Schedule 3 of Public Vehicle Licensing By-Law 137-2007 to the satisfaction of the Licence Commissioner. Therefore, it is being recommended for approval.

# RECOMMENDATION:

THAT the livery vehicle plate holder application, submitted by Ms. Sara Amrou o/a Windsor Cruze Limousines Ltd., 4850 North Service Road, Windsor, to operate one (1) Class "B" – Livery Vehicles, namely a 2007 Lincoln Executive Towncar limousine (V.I.N. 1L1FM88W07Y621530), **BE APPROVED** with the following conditions:

- Ms. Amrou be given sixty (60) days from the date of this decision to submit proof of valid a Safety Standards certificates and insurance, satisfactory to Sections 4.2 and 9.1 of Schedule 3 to By-Law 137-2007,
- The vehicle must submit to and pass an inspection by the By-Law Enforcement Unit.



Policy, Gaming & Licensing 350 City Hall Square West - Room 203 Windsor, ON N9A 6S1 Ph: 519-255-6200, Option 1 Fax: 519-255-6868

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|   | 4850 N                           | North S                               | ervi            | ce Rd                | BUS. PHO                       |                     |  | _         |
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# NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I also acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 137-2007. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W. Room 203, Windsor, ON N9A 6S1, 519-255-6200.

02/02/2018 DATE (MM/DD/YYYY) SMALL CEC



Policy, Gaming & Licensing 350 City Hall Square West - Room 203 Windsor, ON N9A 6S1

Ph: 519-255-6200, Option 1 Fax: 519-255-6868 www.citywindsor.ca

| LIVERY P | LATEHOLDER | APPLICATION |
|----------|------------|-------------|
|          |            |             |

PAGE 2

PLEASE RETURN THIS APPLICATION WITH YOUR PAYMENT TO THE OFFICE OF THE CITY CLERK/POLICY, GAMING & LICENSING DIVISION AT 350 CITY HALL SQUARE WEST, ROOM 203, WINDSOR, ON N9A 6S1. THE LICENCE RENEWAL DEADLINE IS AUGUST 31<sup>ST</sup> ANNUALLY. A 50% LATE PENALTY IS ADDED TO THE BUSINESS LICENCE FEE ON SEPTEMBER 1<sup>ST</sup>. THE APPLICANT COULD FACE FURTHER PENALTIES/FINES FOR OPERATING WITHOUT A VALID BUSINESS LICENCE.

, SARA AMROU

ACKNOWLEDGE THAT I SHALL NOT COMMENCE

OPERATION OF THE LIVERY VEHICLE UNTIL THE FORMAL LICENCE IS ISSUED TO ME.

I HEREBY UNDERTAKE TO NOTIFY THE LICENCE COMMISSIONER TEN DAYS PRIOR TO CANCELLATION OF SAID INSURANCE OR ANY PART THEREOF, OR TRANSFER TO ANY OTHER COMPANY OF SUCH INSURANCE.

\*\*IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE THAT ANY AND ALL ADDITIONAL PROVINCIAL OPERATING LICENSES, AS REQUIRED BY THE MINISTRY OF TRANSPORTATION, ARE OBTAINED AND MAINTAINED.\*\*

RECEIVED

FEB - 2 2018

**POLICY GAMING & LICENSING** 

#### NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I also acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 137-2007. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W. Room 203, Windsor, ON N9A 651, 519-255-6200.

03/03/2018 DATE (MM/DD/YYYY) SIGNATURE OF APPLICANT & TITLE



Policy, Gaming & Licensing 350 City Hall Square West - Room 203 Windsor, ON N9A 6S1 Ph: 519-255-6200, Option 1 Fax: 519-255-6868 www.citywindsor.ca Appendix "B"

# **BUSINESS OWNERSHIP DECLARATION**

| If your business is a <u>CORPORATION</u> :                                 |                                    |  |
|--|------------------------------------|--|
| SARA AMROU, of the Munic   | cipality of                        | , Province of Ontario,   |
| (Your Name)  | (Where                             | You Reside)  |
| reing the CEO of (Corp.  | DSOR CRUZE<br>poration Name and/or | herein after referred to as the Number)  |
| Corporation", in the matter of Licensing Application                       | for <u>FIVER Y</u>                 | cence Type)  |
| That the Corporation shall carry on husiness as                            | WINDSOR CRE                        | 126 LIMOUSINES LTD. at   |
| 4850 NoAh Service Rd E   | (Trad                              | e Name)  |
| That the Corporation shall carry on business as                            | du                                 | ring the currency of the licence, if granted.  |
| hereby declare I am an authorized signing officer                          |                                    |  |
| Corporation and that all information included in this                      | form is complete and               | accurate.  |
| Signature S  | Print Name                         | Date (MM/DD/YYYY)  |
| > If your business is a <u>SOLE PROPRIETO</u>                              | RSHIP:                             |  |
| I,, of the Mui   |                                    |  |
| being the Owner of(Business Name)  | herein after                       | referred to as the "Business", in the matter   |
|  |                                    |  |
| of Licensing Application for   | (Licence Type)                     | hereby declare:  |
| That the Business shall carry on/operate as                                |                                    | at   |
| That the Business shall carry on/operate as                                | (Trac                              | de Name) during the currency of the licence, if granted.   |
| (Business Address)   | }                                  | during the currency of the heerice, it granted.  |
| I hereby declare that all information included in this                     | form is complete and               | accurate.  |
| Signature  | Print Name                         | Date (MM/DD/YYYY)  |
|  |                                    | RECEIVED   |
| ➢ If your business is a <u>PARTNERSHIP</u> :                               | ,                                  | FEB - 2 2018   |
| ı of   | the City of                        | Province of Ontario,   |
| (Your Name)  | (Whe                               | POLICY GAMING LICENSING  |
| being the Owner of   |                                    | herein after referred to as the "Partnership"  |
| being the Owner of(Business Name   | ne)                                | resta destruzificato, destrupación (1901). Section de la conferencia del la conferencia del la conferencia del la conferencia de la conferencia del la conferencia |
| of Licensing Application for   |                                    | hereby declare:  |
|  | Licence Type)                      |  |
| That the Partnership shall carry on business as                            | +2                                 | at   |
|  | ( <i>T</i>                         | rade Name) uring the currency of the licence, if granted.  |
| (Business Address)   |                                    |  |
| I hereby declare that I am authorized to sign on be complete and accurate. | half of the Partnership            | and that all information included in this form is  |
| Signature  | Print Name                         | Date (MM/DD/YYYY)  |
|  |                                    |  |



4850 North Service Rd E, Windsor On, N8T 3P3 (519) 300 - 5253

#### **Application for Limousine License**

As per section 4 of the By-Law the following information is provided:

#### A) Current Fleet

3 limousines 2007 Lincoln town car – 8 passenger Vin# 1L1FM88W07Y621530 2005 Ford Excursion (Ultra stretch) – 12 passenger Vin# 1F1NU40S65ED45947 2005 Hummer H2 (Ultra stretch) – 20 passenger Vin# 5GRGN23U75H133193

- B) My business consists of transporting people to and from any points of interests within Windsor/Essex County. The nature of the business will be to provide a luxury vehicle experience for our customers attending special occasion events such, as weddings/proms/formals and social gatherings.
- C) Currently Windsor/Essex county has only 3 main limousine companies and their vehicle selection is limited in variety. Therefore, customers are forced to explore alternatives outside of Windsor/Essex County which includes Detroit and Toronto in order to obtain variety of options not offered by the competitor. Windsor Cruze limousine will be offering the following distinct vehicles; a Hummer H2 ultra-stretch, and Ford excursion ultra-stretch. This will prevent residents of Windsor/Essex county from having to outsource to other limousine companies for their needs.

Secondly, the population in Windsor and Essex county has grown since the last 2016 census. The metropolitan area of Windsor/ Essex county has a population of 329, 144; 66% of the population is between the age of 15-64. Meaning that 217,235 people fall into the range of possibly requiring a limousine for any of their special events.

RECEIVED

FEB - 2 2018

- D) My competitors and I can all manage the demand and needs without affecting each other's businesses. The main reason is due to the fact that we each offer a different variety of vehicles. There are currently 16 Limousines available amongst all 3 main Limousine companies, which include Butterfield Limousines, Limos by Mr. J's, and Royal Limousines. Including my 3 limousines, there are still a bountiful number of customers who would be in need of our services. Only style and customer service will be the differentiating factor amongst each other.
- E) I have included an individual price list on the next page.

I would like to take this time to Thank you for considering my application in obtaining a Limousine permit. I look forward to working with you in the near future, and in helping our city expand its horizons.

Sincerely

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FEB - 2 2018



#### **Price List**

#### 8 Passenger Limousine - Lincoln Executive

5 Hours - \$650.00\*

7 Hours - \$800.00\*

9 Hours - \$900.00\* (Can be split)

#### 12 Passenger Limousine - Ford Excursion - Ultra-stretch

5 Hours - \$1100.00\*

7 Hours - \$1250.00\*

9 Hours - \$1400.00\* (Can be split)

#### 20 Passenger Limousine - Hummer H2 - Ultra-stretch

5 Hours - \$1500.00\*

7 Hours - \$1800.00\*

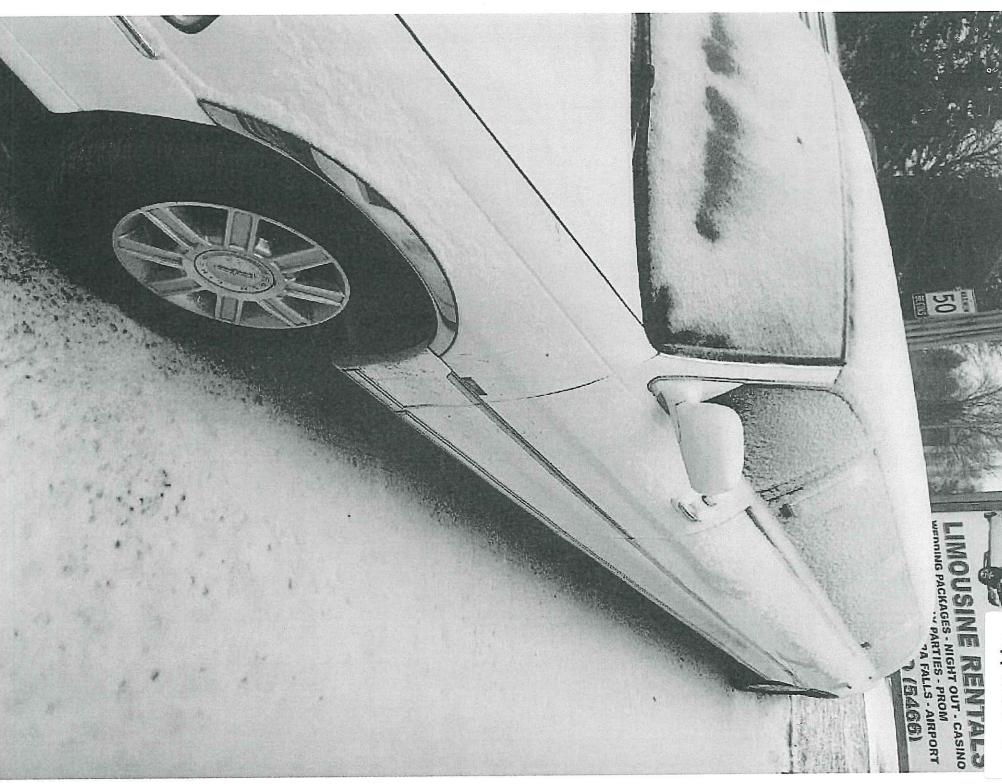
9 Hours - \$2300.00\* (Can be split)

\*All rates are subject to tax 13% HST and Gratuity. Gratuities are based on a scale dependent on vehicle and package, and are generally between 15-20%.

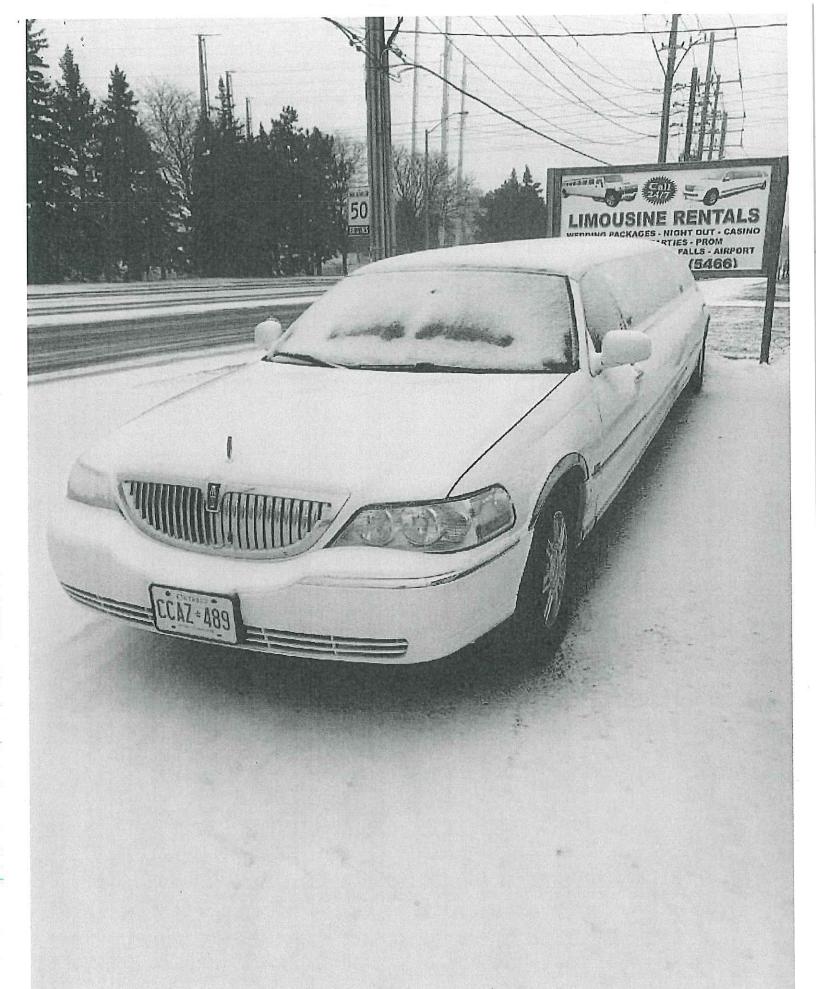


FEB - 2 2018

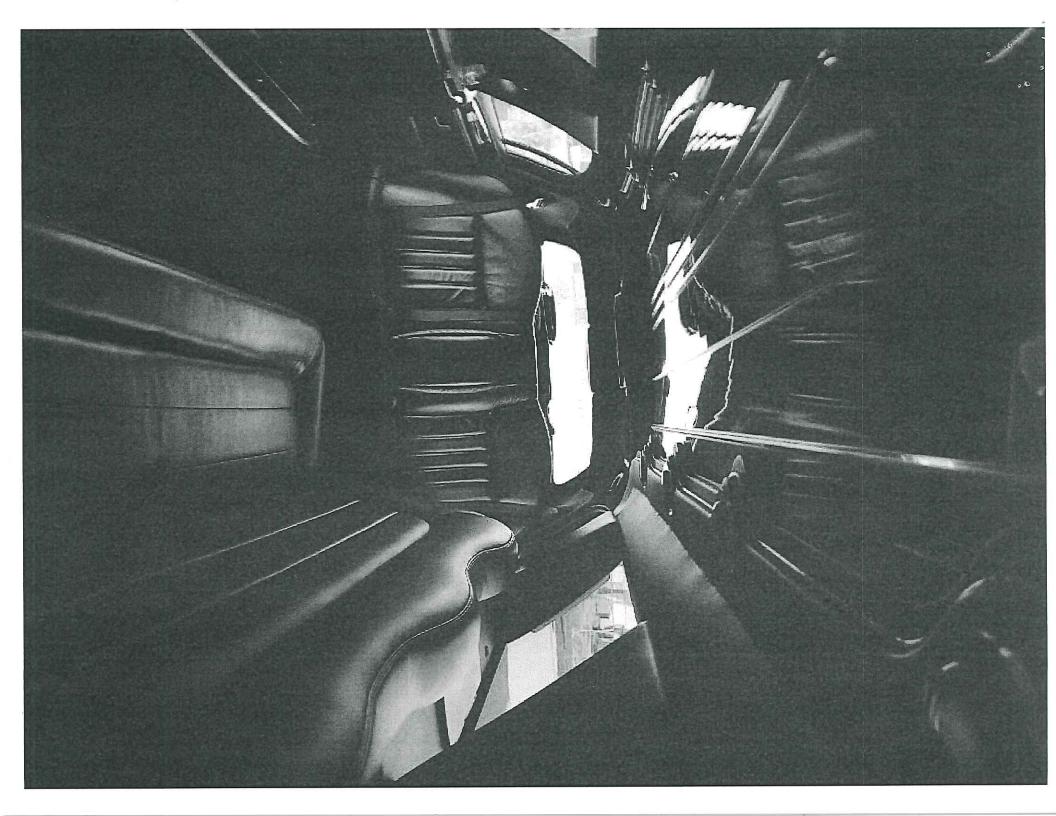
**POLICY GAMING & LICENSING** 

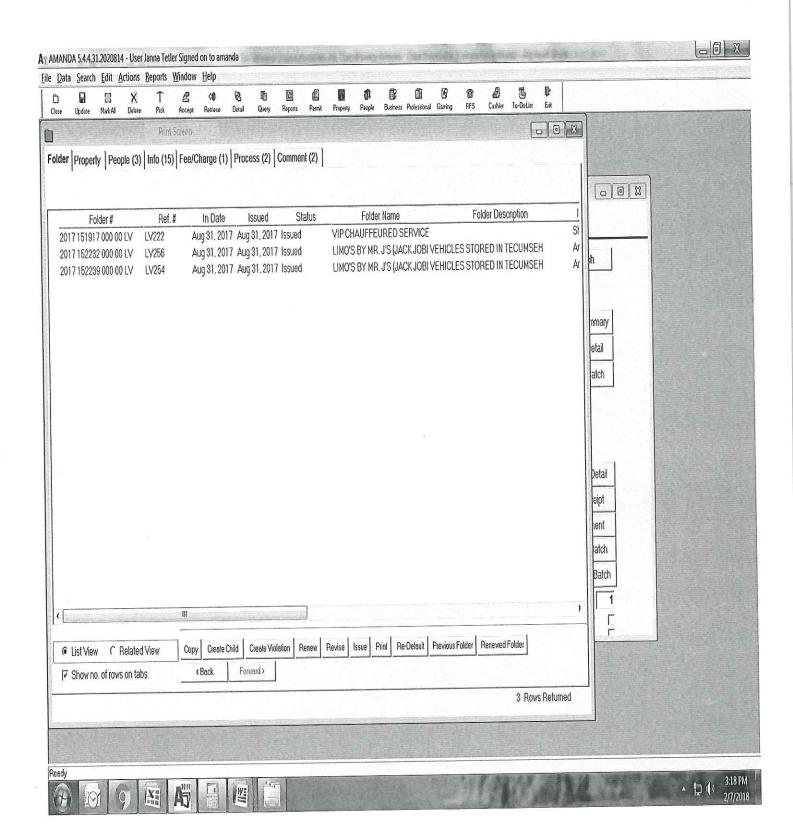


Appendix "E"









# THE CORPORATION OF THE CITY OF WINDSOR OFFICE OF THE CITY CLERK LICENSING DIVISION



#### MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

| Livelink: Report #   | Report Date: February 9, 2018         |
|--|---------------------------------------|
| Author's Name: Craig Robertson,<br>Supervisor of Licensing | Date to Commission: February 28, 2018 |
| Author's Phone: 519 255-6100, Ext. 6869                    | Classification #:                     |
| Author's E-mail: crobertson@citywindsor.ca                 |                                       |

To:

Windsor Licensing Commission

Subject:

**Expired Application(s) for Business Licence** 

# 1. RECOMMENDATION:

City Wide: X Ward(s): \_\_\_\_

To the Commission for information.

# **EXECUTIVE SUMMARY:**

N/A

# 2. BACKGROUND:

Various business licence application(s) are submitted to the Licensing Division annually for either the renewal of a licence or for a new business.

Section 3.20 of Business Licensing By-law 395-2004 states:

"3.20 Licence - application deemed expired

Any business licence application that has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within 60 days from the date of the filing of the application, because of the applicant's inability to comply with the requirements to become licensed, shall be deemed to have expired unless the application is referred to the Windsor Licensing Commission under section 3.28 of this by-law."

And Section 11 of Part III – General Provisions of the Public Vehicle Licensing By-Law 137-2007 states:

"Any application which has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within sixty (60) days from the date of filing the application, shall be deemed to have expired because of the applicant's inability to comply with the requirements to become licenced, unless the application is referred to the

Licensing Commission for determination.

# 3. <u>DISCUSSION</u>:

An application(s) for a business licence was submitted by the following:

| An application(s) for a bus | LOCATION                               | LICENCE             | DATE OF            |
|-----------------------------|--|---------------------|--------------------|
| <u>APPLICANT</u>            | LOCATION                               | CATEGORY            | APPLICATION        |
| 20                          |  | CATEGORI            | THE LEGISLE        |
|                             | 10275 Easternat Daire                  | Retail/Resale       | November 22, 2017  |
| Blaze Wyderkowski o/a       | 10275 Eastcourt Drive,                 | Retail/Resale       | 11070111001 22,201 |
| Diamondblaze                | Windsor, ON                            | Public Hall         | April 3, 2017      |
| 20/20 Show Productions      | 7350 Catherine Street,                 | Public Hall         | April 5, 2017      |
| Inc.                        | Windsor, ON                            | **                  | March 30, 2017     |
| 1965543 Ontario Inc. o/a    | 560 Wyandotte Street                   | Hospitality Food    | Wiarch 50, 2017    |
| Pho Viet Nam Restaurant     | West, Windsor, ON                      | Service             | D.1 04 2017        |
| 2454090 Ontario Inc. o/a    | 350 Cabana Road East,                  | Hospitality         | February 24, 2017  |
| Budokan                     | Unit 9, Windsor, ON                    | Food/Liquor Service |                    |
| 1965462 Ontario Inc. o/a    | 63 Pitt Street East,                   | Hospitality Food    | May 9, 2017        |
| On A Roll Sushi Lounge      | Windsor, ON                            | Service             |                    |
| and Sliders                 | ************************************** |                     |                    |
| 10246310 Canada Ltd.        | 3100 Howard Avenue,                    | Retail/Resale       | November 22, 2017  |
| o/a Experimax               | Windsor, ON                            |                     |                    |
| 963892 Canada Inc. o/a      | 3201 Sandwich Street,                  | Hospitality Food    | May 9, 2017        |
| Sandwich Post Cafe          | Windsor, ON                            | Service             |                    |

The above mentioned applications have been pending for more than 60 days, and the applicant has not complied with the requirements of Business Licensing By-law 395-2004 and/or Public Vehicle Licensing By-Law 137-2007.

A letter has been sent to the above applicant(s) advising that their application has expired and is no longer valid.

# 4. RISK ANALYSIS:

N/A

# 5. FINANCIAL MATTERS:

N/A

# 6. CONSULTATIONS:

N/A

# 7. CONCLUSION:

The application(s) listed above shall be deemed to have expired.

yaig Robertson

Supervisor of Licensing & Deputy Licence

Commissioner

| APPENDICES: |  |  |  |
|-------------|--|--|--|
|             |  |  |  |
|             |  |  |  |

# DEPARTMENTS/OTHERS CONSULTED:

Name:

Phone #: 519

Ext.

| m t t                                   | TIFICATION | :       |               |           |     |
|---|------------|---------|---------------|-----------|-----|
| Name Address Email Address Telephone FA | e          | Address | Email Address | Telephone | FAX |

# WINDSOR LICENSING COMMISSION

February 28, 2018

#### APPLICANT/LICENSEE:

Mr. Fadi Nehme 98 Sierra Crescent Georgetown, ON L7G 0K2 Transferor

&

Mr. Elie Kalil 4644 Fontana Avenue Windsor, ON N9G 3E1

Transferee

# LICENCE CATEGORY:

Taxicab Plate #104

Plate Transfer

Folder # ACLT/13013

#### **HEARING PARTICULARS:**

Transfer of Taxicab Plate #104

#### APPENDED MATERIALS

- Application from plate holder requesting transfer, being Appendix "A"
- Application for plate transfer transferee application, being Appendix "B"
- Proof of full-time employment status for Mr. Elie Kalil, being Appendix "C"

# LICENCE COMMISSIONER'S COMMENTS

The attached applications were received by the Licensing Division on November 21, 2017 from Mr. Fadi Nehme, Plate Holder of Taxicab #104, and Mr. Elie Kalil for the prospective transfer of Taxicab Plate #104.

#### REGULATORY AUTHORITY

Schedule 5, Part VII, Section 20.1 through 20.4 of Licensing By-law 137-2007 states:

- "20.1 Except as approved by the Licensing Commission, a taxicab plate holder may not transfer a taxicab plate and associated taxicab plate holder licence for a period of at least five (5) years from the date of issue of the licence.
- 20.2 No taxicab plate holder licence shall be transferred without the approval of the Licensing Commission.
- 20.3 No taxicab plate holder licence shall be transferred until the person to whom the transfer is to be made has first received approval from the Licence Commissioner as a licensee.
- 20.4 Subject to the restrictions herein, taxicab plates numbered 001 to 224 are transferable, provided that:
  - (a) the transferee satisfies the eligibility criteria for inclusion on the Drivers' List;
  - (b) the transferee signs a form of statutory declaration prescribed by the Licence

Commissioner;

- (c) the transferor has completed a written application for the transfer in the prescribed form;
- (d) the transferee satisfies the requirements of a taxicab plate holder under this By-law, including submitting for inspection the taxicab to which the plate will be affixed;
- (e) the transferee pays all fees required under this By-law;

and the transferee will receive a taxicab plate holder licence at the time of transfer of the taxicab plate."

Further, Section 21.3 states:

"A taxicab or taxicab wheelchair accessible vehicle plate holder who has held a licence for a minimum of one (l) year may lease the taxicab or taxicab wheelchair accessible vehicle licence on a daily, weekly, monthly or yearly basis provided that:

(a) the lessee is licensed by the City of Windsor as a taxicab driver;

(b) all weekly, monthly or yearly leases are filed with and approved by the Licence Commissioner and shall be subject to such terms and conditions the Licence Commissioner may require;

(c) the amount charged under the lease shall be a fair fee as approved by the Licence Commissioner and no additional charges shall be made against the

lessee;

(d) the lease agreement shall include a statement that the leasing agreement is considered null and void in the event that the lessor or lessee, either by written or verbal agreement, sub-leases the taxicab or taxicab wheelchair accessible vehicle or transfers responsibility for the operation of the taxicab or taxicab wheelchair accessible vehicle to a third party;

(e) the lease agreement shall contain a clearly-stated right of the lessor and

lessee to early termination of the lease;

(f) where the lessee is a corporation, the lessee shall, at the time at which the lease is filed with the Licence Commissioner in accordance with the provision of this section, file with the Licence Commissioner a form supplied by the Licence Commissioner and a copy of the lessee's articles of incorporation, amendment or amalgamation; and,

the lease term shall be a minimum of twelve (12) months and a maximum of

twenty-four (24) months."

# BACKGROUND

(g)

 November 21, 2017, transfer application and fee was received from Mr. Elie Kalil on behalf of Mr. Fadi Nehme, being Appendix "A"

• November 21, 2017, transferee application and proof of full-time employment status for Mr. Elie Kalil was submitted, being Appendices "B" and "C".

#### **SUMMARY**

According to the AMANDA database, Mr. Fadi Nehme has been the plate holder of taxicab #104 annually since at least 1998 and is therefore compliant with Section 20.1 to Public Vehicle Licensing By-Law 137-2007.

It is being requested that Taxicab Plate #104 be transferred to Mr. Elie Kalil, who is currently not a licensed plate holder. Further, Licensing records indicate that Mr. Kalil has been licensed as a taxicab driver since October 26, 2011. Although Mr. Kalil does not hold a current place on the Drivers' List, he has provided proof that he has been employed as a full-time taxicab driver since January 18, 2012, which satisfies the requirements of Section 20.4(a) of Schedule 5.

Administration is prepared to recommend that the transfer be completed pending the following outstanding items:

Mr. Elie Kalil must provide:

- (a) Verification of an appropriate vehicle to which he will affix taxicab plate #104;
- (b) A completed Plate Holder application and pay the associated fee;
- (c) Verification that full compensation has been made to Mr. Fadi Nehme in consideration of the transfer of taxicab plate #104.

# RECOMMENDATION

To the Windsor Licensing Commission for decision on the following:

**THAT** the transfer of Taxicab Plate #104 from Mr. Fadi Nehme to Mr. Elie Kalil **BE APPROVED** with the following conditions:

- i. Mr. Kalil be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- ii. Mr. Kalil must submit a Plate Holder application and pay the applicable fee.
- iii. Mr. Kalil shall provide verification that full compensation has been made to Mr. Nehme in consideration of the transfer of taxicab plate #104.
- iv. Mr. Kalil shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

| DISPOSITION: |  |  |  |
|--------------|--|--|--|
|              |  |  |  |
|              |  |  |  |
|              |  |  |  |



# Policy, Gaming & Licensing

350 City Hall Square West - Suite 203 Windsor, ON N9A 6S1 Ph: (519) 255-6200, Option 1 Fax (519) 255-6868 www.citywindsor.ca

# TAXICAB PLATE TRANSFER TRANSFEROR

PLATE TRANSFER FEE \$400.00

Pursuant to Public Vehicle Licensing Bylaw 137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am the Plateholder of the City of Windsor Taxicab Plate No. 104 and I wish to transfer my plate in accordance with Bylaw 137-2007. I am currently licenced as a Plateholder with respect to the operation of the following vehicle:

| YEAR:         |    |
|---------------|----|
| MAKE & MODEL: |    |
| VIN:          | *. |
| COMPANY NAME: |    |

#### PLEASE PRINT CLEARLY

| NAME: FAI            | OT NE        | HME         |             |  |
|----------------------|--------------|-------------|-------------|--|
| SIGNATURE:           | Total        | Ju> :-      |             |  |
| ADDRESS: 98 SIE      | ERRA (       | RESCENT     |             |  |
| CITY:<br>George town | POSTAL CODE: | HOME PHONE: | CELL PHONE: |  |

 By making this application for transfer, I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

#### NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Windsor Licensing Commission. The name is public information. Any other personal information collected will only be used for investigative purposes. Questions about this collection can be made to the Deputy Licence Commissioner, 350 City Hall Square West, Room 203, Windsor, ON N9A 6S1 / (519) 255-6200, Option 1.

10/25/2017

SIGNATURE OF APPLICANT

OFFICE USE ONLY

DATE STAMP

RECEIVED

NOV 2 1 2017

STAFF INITIALS: UT

POLICY GAMING & LICENSING



#### Policy, Gaming & Licensing

350 City Hall Square West - Suite 203 Windsor, ON N9A 6S1 Ph: (519) 255-6200, Option 1 Fax (519) 255-6868 www.citywindsor.ca

# TAXICAB PLATE TRANSFER TRANSFEREE

Pursuant to Public Vehicle Licensing By law #137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am interested in receiving City of Windsor taxicab plate No. 10 4 and I have reached an agreement with the current plateholder.

#### PLEASE PRINT CLEARLY

| NAME (PRINT CLEARLY): | $\Gamma$ $I$ $T$ $\Gamma$ | 120171      |             |  |  |  |
|-----------------------|---------------------------|-------------|-------------|--|--|--|
|                       | ヒムエに                      | KAITL       |             |  |  |  |
| SIGNATURE:            |                           | 111000      |             |  |  |  |
|                       |                           |             |             |  |  |  |
|                       |                           | >           |             |  |  |  |
| ADDRESS:              |                           |             |             |  |  |  |
| 4644 FONTANA Ave.     |                           |             |             |  |  |  |
| CITY:                 | POSTAL CODE:              | HOME PHONE: | CELL PHONE: |  |  |  |
| WINDSOR               | N963E1                    |             |             |  |  |  |

By making this application for transfer:

- I hereby declare that I satisfy the eligibility criteria for inclusion on the Drivers' List.
- I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

#### NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Windsor Licensing Commission. The name is public information. Any other personal information collected will only be used for investigative purposes. Questions about this collection can be made to the Deputy Licence Commissioner, 350 City Hall Square West, Room 203, Windsor, ON N9A 6S1 / (519) 255-6200, Option 1.

/O /25/2017
DATE (MM/DD/YYYY)
SIGNATURE OF APPLICANT

OFFICE USE ONLY

DATE STAMP

RECEIVED

NOV 2 1 2017

STAFF INITIALS: UT

POLICY GAMING & LICENSING



"At your service for over 60 years 519.256.2621"

#### DIVISION OF WINDSOR AIRLINE LIMOUSINE SERVICES LIMITED

RECEIVED

NOV 2 1 2017

To: The Corporation of the City of Windsor

Office of the City Clerk Policy, Gaming & Licensing POLICY GAMING & LICENSING

**SUBJECT: Driver's List Application** 

Applicant: \_ FNC >

This letter will serve to introduce the above captioned dependent contractor who has been signed on with WALS o/a Veteran Cab since 01-18-2012, and has worked at least 35 hours per week for 40 weeks in the 2 years prior to this application.

At this writing the company is not aware of any outstanding charges or convictions against the named driver under By-law #137-2007.

If further information is required, please contact our Human Resources Department at (519) 256-1868 Ext 227.

Kind regards,

Vets Cab Company

W. J. Bezzina General Manager