

A G E N D A

WINDSOR LICENSING COMMISSION

For a meeting on Wednesday, May 25, 2016
at 9:30 o'clock a.m.

Windsor City Hall, 350 City Hall Square West
3rd floor – Council Chambers

1. CALL TO ORDER

2. MINUTES

Adoption of the minutes of the meeting of the Windsor Licensing Commission held April 27, 2016 (copy attached).

3. DISCLOSURE OF INTEREST

4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

5. COMMUNICATIONS

6. LICENCE TRANSFERS

None.

7. APPLICATIONS/HEARINGS

- (a) Facca Restaurants Incorporated o/a DT Rickshaws – Livery Licence Class "E" Pedicab
- (b) 1037047 Ontario Ltd. – Lodging House – Class 1

8. REPORTS AND ADMINISTRATIVE MATTERS

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

9. IN-CAMERA AGENDA

Item No.	Subject	Section – Pursuant to Municipal Act 2001, as amended
9(a)	Personal matter about an identifiable individual	s. 239(2)(b)

10. DATE OF NEXT MEETING

The following 2016 meetings are scheduled for the Licensing Commission. The meetings will be held at 9:30 a.m. in the Council Chambers. You will be notified if there is a change in the venue.

June 22, 2016
July 27, 2016
August 24, 2016
September 28, 2016
October 26, 2016
November 23, 2016
December 28, 2016

11. ADJOURNMENT

KK/
Windsor, Ontario April 27, 2016

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3rd 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:

Valerie Critchley, City Clerk/Licence Commissioner
Ann Kalinowski, Manager of By-law Enforcement
Craig Robertson, Supervisor of Licensing & Deputy Licence Commissioner
(arrives at 9:42 a.m.)
Bill Tetler, By-law Enforcement Officer
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 a.m. and the Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. MINUTES

Moved by Councillor Elliott, seconded by Councillor Borrelli,
That the minutes of the Windsor Licensing Commission of its meeting held March 23, 2016 **BE ADOPTED** as presented.
Carried.

3. DISCLOSURE OF INTEREST

None disclosed.

4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

Moved by Councillor Borrelli, seconded by J. Fathers,
That the matter Item 7(b) – John Middleton o/a JKM Enterprises, Mobile Sign Lessor **BE WITHDRAWN** as the applicant has complied with the regulations under By-law 395-2004.
Carried.

5. COMMUNICATIONS

None.

6. LICENCE TRANSFERS

None.

7. APPLICATIONS/HEARINGS

(a) Horvat & Ward Inc. o/a Advantage Transportation – Livery Vehicle

Lidija Horvat, applicant is present and available to answer questions.

Moved by J. Fathers, seconded by G. Conte,
WLC8/2016 That the plate holder application, submitted by Ms. Lidija Horvat of Horvat & Ward Inc. o/a Advantage Transportation, 3591 Innerkip Crescent, Windsor to operate one (1) Class D – Livery Vehicle **BE APPROVED** with the following conditions:

- Ms. Lidija Horvat be given sixty (60) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 3 to By-law 137-2007
- The vehicle must not be more than seven (7) models years in age
- The applicant must submit insurance satisfactory to Section 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.

Carried.

(b) John Middleton o/a JKM Enterprises – Mobile Sign Lessor

This matter has been withdrawn.

(c) **2307027 Ontario Inc. o/a All Star 1 Auto – Automobile Service Station**

Khalil Abdul Sater, 2307027 Ontario Inc. is present and available to answer questions. He states the violations will be corrected within one week's time.

V. Critchley provides background information on this matter as follows:

- On January 26, 2016 a pro-active inspection was completed By-law Enforcement Officer Bill Tetler and the following violations are noted:
 - Fencing surrounding the property not screened.
 - Several inoperative motor vehicles scattered on the property.
 - Car parts/engines scattered all over the property including the front of the building.
 - Several vehicles that had been stripped for parts (wrecking/salvage).
- A follow-up inspection occurred on February 4, 2016 and the foregoing violations had not been corrected.
- An inspection occurred on February 23, 2016 and the premises were in the same condition as the previous two inspections.
- By-law Enforcement Officer Bill Tetler conducted an inspection prior to this meeting and indicates the premises are fifty per cent improved.

Moved by Councillor Borrelli, seconded by Councillor Elliott,

WLC9/2016 That **APPROVAL BE GIVEN** to an extension of seven (7) days from the date of this decision for 2307027 Ontario Inc., o/a All Star 1 Auto - Automobile Service Station to comply with Business Licensing By-law 395-2004 and failing that, the following **BE APPROVED**:

That Automobile Service Station – Repairs licence #15 210211 and Automobile Service Station – Storage Sales licence # 15 210212 issued to 2307027 Ontario Inc. o/a All Star 1 Auto, **BE SUSPENDED** until the licensee operates in compliance with Business Licensing By-law 395-2004 to the satisfaction of the By-law Enforcement office

And further that, Automobile Service Station – Repairs licence #15 210211 and Automobile Service Station – Storage/Sales licence #15 210212, issued to 2307027 Ontario Inc. o/a All Star 1 Auto **BE REVOKED** should the licensee fail to comply within thirty (30) days from the date of this decision.

Carried.

8. **REPORTS AND ADMINISTRATIVE MATTERS**

Moved by J. Fathers, seconded by Councillor Elliott,

That the report of the Supervisor of Licensing dated April 8, 2016 entitled "Expired Application(s) for Business Licence" **BE RECEIVED**.

Carried.

9. **IN CAMERA AGENDA**

No In Camera session is held.

10. **DATE OF NEXT MEETING**

The next meeting will be held on May 25, 2016 at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, City Hall.

11. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 9:45 o'clock a.m.

CHAIR

SECRETARY

AGENDA

WINDSOR LICENSING COMMISSION

For a meeting on Wednesday, April 27, 2016

at 9:30 o'clock a.m.

Windsor City Hall, 350 City Hall Square West
3rd floor – Council Chambers

1. CALL TO ORDER

2. MINUTES

Adoption of the minutes of the meeting of the Windsor Licensing Commission held March 23, 2016 (copy attached).

3. DISCLOSURE OF INTEREST

4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

5. COMMUNICATIONS

6. LICENCE TRANSFERS

None.

7. APPLICATIONS/HEARINGS

- (a) Horvat & Ward Inc. o/a Advantage Transportation – Livery Vehicle
- (b) John Middleton o/a JKM Enterprises – Mobile Sign Lessor
- (c) 2307027 Ontario Inc. o/a All Star 1 Auto – Automobile Service Station

8. REPORTS AND ADMINISTRATIVE MATTERS

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

9. IN-CAMERA AGENDA

No In Camera.

10. DATE OF NEXT MEETING

The following 2016 meetings are scheduled for the Licensing Commission. The meetings will be held at 9:30 a.m. in the Council Chambers. You will be notified if there is a change in the venue.

May 25, 2016
June 22, 2016
July 27, 2016
August 24, 2016
September 28, 2016
October 26, 2016
November 23, 2016
December 28, 2016

11. ADJOURNMENT

ITEM NO. 7(a)

WINDSOR LICENSING COMMISSION

May 25, 2016

APPLICANT/LICENSEE:

Mr. David Haas
Facca Restaurants Incorporated o/a DT
Rickshaws
351 Ouellette Avenue
Windsor, ON N9A 4J1

LICENCE CATEGORY:

Livery Licence-Class "E" Pedicab

- 16 119881
- 16 119882
- 16 119883

Livelink file #ACLT/12543

HEARING PARTICULARS:

Approve Application for Livery Vehicle Plate Holder – Class "E" Pedicab

APPENDED MATERIALS

- Copy of Livery Plate Holder 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"
- Copy of Rickshaw Safety Check, being Appendix "F"
- AMANDA "screen shot" showing the number of licensed Class 'E' Livery Vehicles, being Appendix "G"

LICENCE COMMISSIONER'S COMMENTS

A new application for a Livery Vehicle Licence was submitted on March 31, 2016 by Mr. David Haas, authorized representative, on behalf of Facca Restaurants Incorporated o/a DT Rickshaw, 351 Ouellette Avenue, Windsor. The licensee, Facca Restaurants currently carries on business as a licensed Entertainment Lounge known as "The Treehouse" at the same location. Facca Restaurants has purchased DT Rickshaw from the previous licensed owner, Luke Andary. Mr. Andary was initially approved as a Class E Livery Plate Holder by the Commission in 2014 and has since continuously maintained his licenses. The three rickshaws licensed by Mr. Andary are currently the only Class "E" Livery Vehicle licenced in the City of Windsor.

REGULATORY AUTHORITY

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

- "2.1 The following limit on the number of licences shall be established and reviewed by the Licensing Commission from time to time:

(a)	Class B - Limousine	25 units
(b)	Class C - Executive	15 units
(c)	Class D - Van	30 units
(d)	Class E - Pedicab	10 units
(e)	Class F – Horse Drawn Carriage	12 units”

“4.1 Applicants for livery plate holder licenses in the first instance shall provide to the Licence Commissioner for consideration by the Licensing Commission:

- (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.”

4.2.1 In addition to the requirements in 4.1 and 4.2, as may be applicable, applicants for a Class E – Pedicab vehicle plate and associated livery plate holder licence shall submit a document, completed by a mechanic duly licensed to practice in the Province of Ontario, showing mechanical fitness of the vehicle which is satisfactory to the Licence Commissioner. (Added by By-law 164-2013, dated October 21, 2013)

“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.”

11.1 Every livery vehicle excluding pedicabs shall charge at least \$50 per hour or parts thereof.

BACKGROUND

The following is an itemized list of documents submitted on March 31, 2016 on behalf of Facca Restaurants Incorporated:

- An application for Livery vehicle – Class E licence was received, 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 vehicles, copy attached as Appendix “E”
- Copy of Rickshaw Safety Check, copy attached as Appendix “F”

SUMMARY

Currently there are no Class E Livery Vehicles licensed in the City of Windsor. Therefore, we are well within the 10 vehicle limit permitted in Public Vehicle Licensing By-Law 137-2007.

In addition to the licensing requirements, there is also a regulation that prohibits the operation of a Pedicab on certain streets within the Downtown Business Improvement Area. At the time of application, the Licensing Division informed Mr. Haas of the prohibited areas of operation of a Pedicab within the Downtown Business Improvement Area as outlined in Section 12.1 of Schedule 3 to Public Vehicle Licensing By-law 137-2007.

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 plate holder application, submitted by Mr. David Haas on behalf of Facca Restaurants Incorporated, 351 Ouellette Avenue, Windsor, to operate three (3) Class E – Livery Vehicles **BE APPROVED**.

DISPOSITION:



OFFICE OF THE CITY CLERK

Appendix "A"

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

-16 119881

LIVERY PLATEHOLDER APPLICATION

LICENCE # 16 119881 OFFICE USE ONLY

APPLICANT NAME AND ADDRESS

APPLICANT NAME: David Haas
DATE OF BIRTH: (MM/DD/YYYY)
STREET ADDRESS:
CITY, PROVINCE:
BUSINESS NAME AND ADDRESS

Handwritten notes: LV286, LV287, LV288

NAME UNDER WHICH BUSINESS OPERATES: Foca Restaurants Inc.
PLEASE INDICATE WITH A CHECK MARK: Corporation [checked] Sole Proprietorship Partnership
STREET ADDRESS: 351 Ouellette Ave
CITY, PROVINCE: Windsor ON
BUS. PHONE: 519 564 3405
FAX NUMBER:
POSTAL CODE: N9A 4J1

MAILING ADDRESS FOR BUSINESS, IF DIFFERENT THAN ABOVE
STREET ADDRESS:
CITY, PROVINCE:
POSTAL CODE:

RECEIVED

CLASS OF VEHICLE (PLEASE CHECK ALL THAT APPLY)
LIMOUSINE (CLASS A)
EXECUTIVE (CLASS C)
PEDICAB (CLASS E)
VAN (CLASS D)
HORSE DRAWN CARRIAGE (CLASS F)

MAR 31 2016

LICENCE FEES
LIVERY VEHICLE
MOTORIZED - \$180.00
NUMBER OF PLATES 3
MUSCULAR (CLASS G)
NUMBER OF PLATES

HAVE YOU EVER HAD ANY PREVIOUS MUNICIPAL LICENCE(S)? YES [checked] NO
IF YES: What type? Business
What year? 2015
HAVE YOU EVER BEEN CONVICTED OF ANY CRIMINAL OR INDICTABLE OFFENCE IN CANADA OR ANY OTHER COUNTRY? YES NO [checked] IF YES: Year? Location?

PLEASE ENCLOSE THE FOLLOWING DOCUMENTS WITH THIS APPLICATION

SAFETY CERTIFICATE
INSURANCE POLICY
PHOTO OF VEHICLE
RATE SCHEDULE
VEHICLE OWNERSHIP
MARKET STUDY
ARTICLES OF INCORPORATION/MASTER BUSINESS LICENCE
2 PIECES IDENTIFICATION

LIVERY VEHICLE INFORMATION
CITY PLATE
YEAR OF MANUFACTURE
MAKE/MODEL CLASS OF VEHICLE
PROVINCIAL PLATE NO.
SERIAL NO.

PARTICULARS OF INSURANCE
INSURANCE LIABILITY
INSURANCE COMPANY
EXPIRY DATE
INSURANCE AGENT

PLEASE ALSO COMPLETE PAGE 2

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.

03/31/2016
DATE (MM/DD/YYYY)

Signature of Applicant & Title (owner)



OFFICE OF THE CITY CLERK
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 PLATEHOLDER 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 31ST ANNUALLY. A 50% LATE PENALTY IS ADDED TO THE BUSINESS LICENCE FEE ON SEPTEMBER 1ST. THE APPLICANT COULD FACE FURTHER PENALTIES FOR OPERATING WITHOUT A VALID BUSINESS LICENCE.

RECEIVED

MAR 31 2016
POLICY GAMING & LICENSING

I,  ACKNOWLEDGE THAT I SHALL NOT COMMENCE OPERATION OF THE LIVERY VEHICLE UNTIL THE FORMAL LICENCE IS ISSUED TO ME.

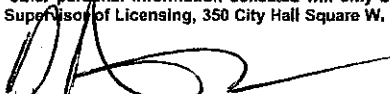
I HEREBY UNDERTAKE TO NOTIFY THE LICENCE COMMISSIONER TEN DAYS PRIOR TO CANCELLATION OF SAID INSURANCE OR ANY PART THEREOF, OR TRANSFER TO ANY OTHER COMPANY OF SUCH INSURANCE.

****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.****

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.

03/31/2016
 DATE (MM/DD/YYYY)


 SIGNATURE OF APPLICANT & TITLE

BUSINESS OWNERSHIP DECLARATION

> **If your business is a CORPORATION:**

I, David Hees, of the Municipality of _____, Province of Ontario,
(Your Name) (Where You Reside)

being the owner of Force Restaurant Inc. herein after referred to as the
(Title) (Corporation Name and/or Number)

"Corporation", in the matter of Licensing Application for Livery Plate Holder hereby declare:
(Licence Type)

That the Corporation shall carry on business as DT Rickshaw's at
(Trade Name)
351 Ouellette Ave. Windsor, during the currency of the licence, if granted.
(Business Address)

I hereby declare I am an authorized signing officer with, and therefore have authority to bind, the

Corporation and that all information included in this form is complete and accurate.

[Signature] David Hees 12/05/09/2016
Signature Print Name Date (MM/DD/YYYY)

> **If your business is a SOLE PROPRIETORSHIP:**

I, _____, of the Municipality of _____, Province of Ontario,
(Your Name) (Where You Reside)

being the Owner of _____ herein after referred to as the "Business", in the matter
(Business Name)

of Licensing Application for _____ hereby declare:
(Licence Type)

That the Business shall carry on/operate as _____ at
(Trade Name)
_____ during the currency of the licence, if granted.
(Business Address)

I hereby declare that all information included in this form is complete and accurate.

Signature Print Name Date (MM/DD/YYYY)

> **If your business is a PARTNERSHIP:**

I, _____, of the City of _____, Province of Ontario,
(Your Name) (Where You Reside)

being the Owner of _____ herein after referred to as the "Partnership"
(Business Name)

of Licensing Application for _____ hereby declare:
(Licence Type)

That the Partnership shall carry on business as _____ at
(Trade Name)
_____ during the currency of the licence, if granted.
(Business Address)

I hereby declare that I am authorized to sign on behalf of the Partnership and that all information included in this form is complete and accurate.

Signature Print Name Date (MM/DD/YYYY)

DT Rickshaws Market Study

DT Rickshaws will provide advertising and transportation services in the downtown and riverside areas of Windsor via hand-pulled rickshaws. Businesses will be able to purchase advertising space on the rickshaws either covering the entire rickshaw, or specific spots of their choice. Pedestrians will be able to purchase rides on the rickshaws anywhere in the downtown area or riverside area except for Wyandotte St., University Ave., Goyeau St., and Riverside Drive.

DT Rickshaws is the only rickshaw company in Windsor. The advertising method is unique and unlike any other in the city. Businesses are always looking for innovative ways to advertise, and in my opinion, a rickshaw advertisement is the most unique in Windsor. It is an eco-friendly, cultural, mobile advertisement that is sure to catch peoples' eyes.

Citizens of Windsor are sure to enjoy a relaxing rickshaw ride in the busy downtown area and the scenic riverside. It is exciting and rare to see in this area of Ontario. Many other big cities such as London, Toronto, and Ottawa already have rickshaw businesses that do well; and Windsor is large enough to also host a rickshaw business.

DT Rickshaws will attract tourism to the city of Windsor. This will bring money into Windsor and strengthen Windsor's economy.

RECEIVED

MAR 31 2016

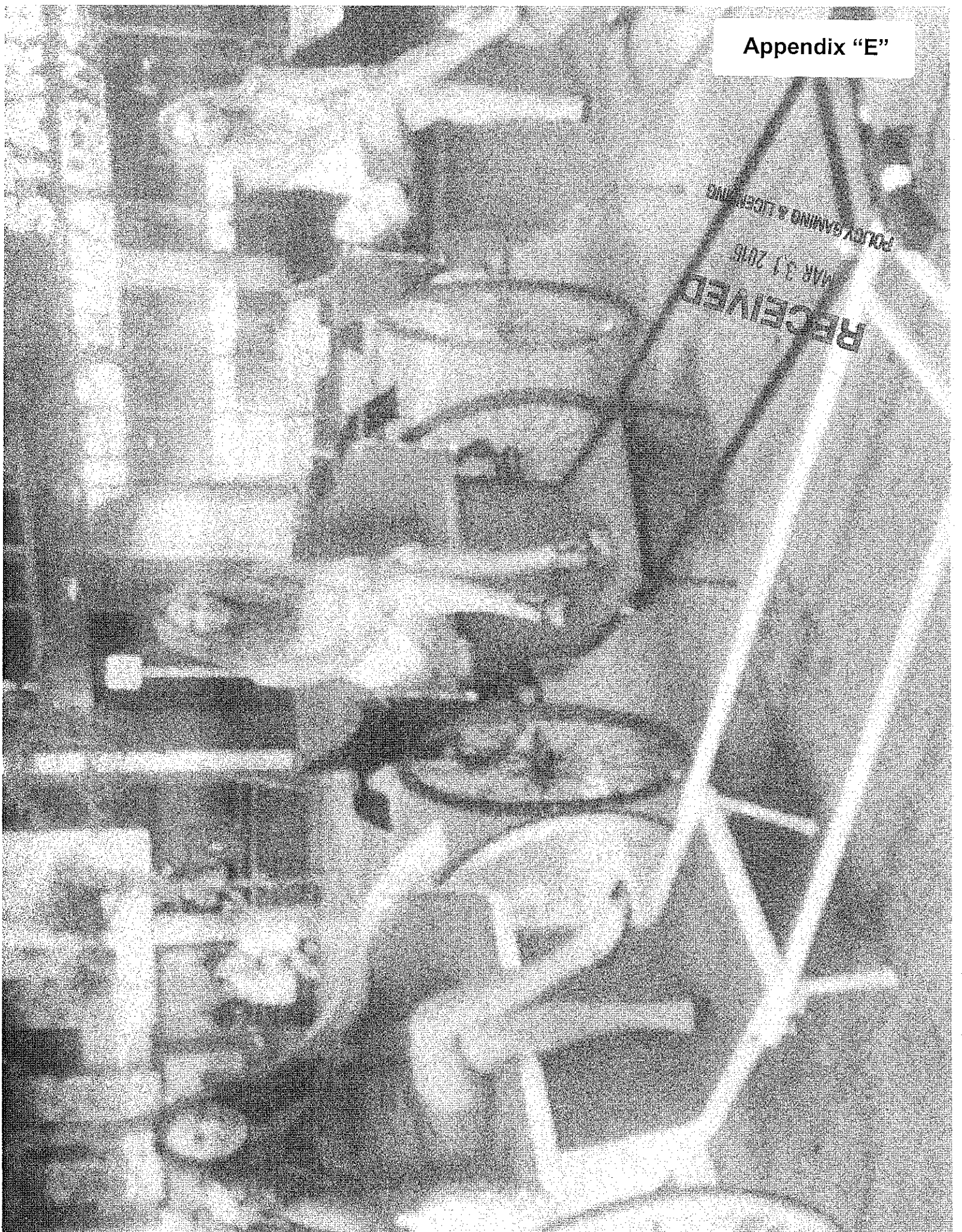
POLICY GAMING & LICENSING

Rate Structure

\$1.00 per minute per person for each ride.

RECEIVED
MAR 31 2016
POLICY GAMING & LICENSING

POLICE GAMING & LICENSING
MAR 31 2018
RECEIVED



Rickshaw Safety Check

I have reviewed and inspected a black rickshaw, red rickshaw, and white rickshaw property of DT Rickshaws and deem them safe for operation. Areas of inspection include the body, wheels, and axle.

- Fenders are secure and protecting passengers from contact with the wheel.
- No sharp or protruding edges
- Seat is secure
- The frame or any structural unitized member is stable, and is not cracked, broken, loose, or missing connection fasteners and is not perforated with rust.
- The under-body is not perforated by rust or damaged.
- Reflectors (red in colour) are located at the rear and as close as practical to the outside of the vehicle body.
- All wheels are without cracks, excessive bends, or loose connections
- All wheels are sturdy and have strong spokes.
- Wheels do not make contact with any vehicle component.
- Wheels are not worn beyond minimum depth allowable.

The three rickshaws are constructed well. I acknowledge that this document is not a certified Ontario safety, but throughout my experience in the automotive field I approve these three rickshaws for safe operation in Ontario.

DAL KOONOR

Name

NOV 4 / 2015

Date

[Signature]
Signature

RECEIVED
MAR 31 2016
POLICY GAMING & LICENSING



DT RICKSHAW (LUKE ANDARY) LV

Folder Property People (4) Info (15) Fee/Charge (1) Process (2) Comment (2)

Folder #	Ref. #	In Date	Issued	Status	Folder Name	Folde
2015 200000 000 00 LV	LV288	Aug 31, 2015	Sep 01, 2015	Issued	DT RICKSHAW (LUKE ANDARY)	
2015 200004 000 00 LV	LV287	Aug 31, 2015	Sep 01, 2015	Issued	DT RICKSHAW (LUKE ANDARY)	
2015 200005 000 00 LV	LV286	Aug 31, 2015	Sep 01, 2015	Issued	DT RICKSHAW (LUKE ANDARY)	

List View
 Related View
 Copy Create Child Create Violation Renew Revise Issue Print Re-Default Previous Folder Renewed Folder

Show no. of rows on tabs
 < Back Forward >

3 Rows Returned



ITEM NO. 7(b)

WINDSOR LICENSING COMMISSION

May 25, 2016

APPLICANT/LICENSEE:

Mr. Peter Barth
1037047 Ontario Ltd.
1636 Drouillard Road
Windsor, ON N8Y 2S3

LICENCE CATEGORY:

Lodging House – Class I
15 205715

LiveLink File #ACLH/12547

HEARING PARTICULARS:

Refuse To Issue – Lodging House – Class I

APPENDED MATERIALS

- Copy of Lodging House Application, being Appendix “A”
- Copy of Business Ownership Declaration, being Appendix “B”
- Copy of AMANDA notes from Building Inspector, being Appendix “C”
- Copy of emails sent between Licensing Department and Building Inspector, being Appendix “D”
- Copy of letter sent advising of non-compliance, being Appendix “E”
- Copy of email between Licensing Department and Building Inspector, being Appendix “F”

LICENCE COMMISSIONER’S COMMENTS

A licence application for a Lodging House Licence to be operated at 1636 Drouillard Road, Windsor, ON was submitted on October 2, 2015 by Mr. Peter Barth on behalf of 1037047 Ontario Ltd. Licensing Department records indicate that there have been prior Lodging House applications received by Mr. Barth on behalf of various companies at this address intermittently since 1997. Administration would like to remind the Commission that this is not the first instance that an application submitted by Mr. Barth has been brought before the Windsor Licensing Commission; Mr. Barth’s Lodging House licence was previously revoked at the meeting held on March 23, 2011 due to non-compliance of the City of Windsor’s Business Licensing By-law.

REGULATORY AUTHORITY

Business Licensing By-Law 395-2004

3.8 Licence - application - subject to approval

Every application will be subject to investigations approvals from such municipal or provincial departments or agencies as the Licence Commissioner deems necessary, or as directed by the Windsor Licensing Commission, including but not limited to: Police Services,

Windsor/Essex County Health Unit, Fire and Rescue Services Department, Building and Development Department, Environmental Services Department and Licensing and Enforcement Department.

3.25 Licensing powers – Licence Commissioner – issue or renew

- (1) Upon receipt of an application in the prescribed form for a licence or renewal thereof, shall make or cause to be made all investigation required by law and if the investigation disclose any reason to believe that the applicant is not of good character or that the carrying on of the said trade, calling, business or occupation will be likely to result in a breach of the law or be in any way adverse to the public interest, the Licence Commissioner shall recommend to the Windsor Licensing Commission that it not issue or renew the licence or that it impose conditions on the issuance of a licence, otherwise, the Licence Commissioner shall recommend to the Windsor Licensing Commission that it issue or renew the licence.

3.31 Refusal - suspension - revocation - by Windsor Licensing Commission – hearing

- (1) At the hearing, the Windsor Licensing Commission may suspend, revoke or refuse to issue any licence under this by-law:
- (a) for any reason that would disentitle the holder to a licence if he/she were an applicant;
 - (b) where the holder of the licence or applicant is in breach of a condition of the licence or of this by-law;
 - (c) if there are reasonable grounds to believe that the statements on the licence application are false;
 - (d) if a report is filed subsequent to the date of the issuance of the licence by any department or agency which provided its approval originally to the issuance of the licence which indicates that a licensed premises no longer complies with any of the provisions of this by-law;
 - (e) upon such grounds as are set out in this by-law;
 - (f) if the applicant has outstanding fines or penalties owing to the municipality or has not paid the required licence application fee;
 - (g) if the conduct or character of the applicant or licensee affords reasonable cause to believe that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
 - (h) if the geographic location of the business does not meet land use requirements;
 - (i) if, in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be engaged in or carried on in accordance with the law or with honesty and integrity; or
 - (j) if issuing a licence is not in the public interest.

BACKGROUND

- October 2, 2015, Mr. Peter Barth submits an application for a new Lodging House – Class I licence on behalf of 1037047 Ontario Ltd, attached as Appendix “A”.
- October 27, 2015, Building Inspector, Eddy Staudt, attends the premises at 1636 Drouillard Road and meets with the business manager, Mr. Brian Craig, who indicates that he is awaiting a meeting with the business’ architect to review plans for a reconstruction of the premises. Inspector Staudt advises Mr. Craig to reschedule an inspection once a permit has been issued with approved plans for review, attached as

Appendix "C".

- January 7, 2016, Licence Issuer, Shelly Wiseman, sends an email to Inspector Staudt requesting an update to the status of the Building inspection, as it is the only licence requirement that remains outstanding.
- January 8, 2016, Inspector Staudt indicates via email that to date that the applicant had still not applied for a permit to undertake necessary work at the premises, attached as Appendix "D".
- January 21, 2016, the Licensing Departments send the applicant notification of the non-compliance with the City's Building Department and gives until February 4, 2016 as a deadline to comply, attached as Appendix "E".
- February 12, 2016, Inspector Staudt indicates via email that to date that the applicant had still not applied for a permit to undertake necessary work at the premises, attached as Appendix "F".
- February 25, 2016, Inspector Staudt makes a recommendation for a report to be brought forward to the Windsor Licensing Commission for non-compliance.

SUMMARY

Administration recommends to the Windsor Licensing Commission, that it refuse to issue the Lodging House, Class I licence for 1037047 Ontario Ltd. to be operated at 1636 Drouillard Road, Windsor, ON. It is not in the public interest to issue this licence since there are outstanding issues with the City of Windsor Building Department that they have failed to bring into compliance. Should the Windsor Licensing Commission decide to refuse the application, the applicant would be required to correct outstanding deficiencies identified by the City of Windsor Building Department, re-apply for the licence and pay the applicable fees.

RECOMMENDATION:

That the Windsor Licensing Commission **REFUSE TO ISSUE** a Lodging House – Class I licence to 1037047 Ontario Ltd. operating at 1636 Drouillard Road, Windsor, ON.

DISPOSITION:

OFFICE OF THE CITY CLERK

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 "A"

LODGING HOUSE APPLICATION

RECEIVED

OFFICE USE ONLY

LICENCE # 15-205715

CLASS 1 (2 PAGES)

OCT 02 2015

Renewal

APPLICANT NAME AND ADDRESS

APPLICANT NAME: <i>Peter BARTON</i>	DATE OF BIRTH: <i>(MM/DD/YYYY)</i>
STREET ADDRESS:	HOME PHONE:
CITY, PROVINCE:	CELL PHONE:
	POSTAL CODE:

BUSINESS NAME AND ADDRESS

NAME UNDER WHICH BUSINESS OPERATES: <i>* 103704 FORTARIO Ltd</i>	PLEASE INDICATE WITH A CHECK MARK: (✓) Corporation <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/>
STREET ADDRESS: <i>1636 DROUVILLARD</i>	BUS. PHONE: <i>519 251-8230</i>
CITY, PROVINCE: <i>WINDSOR</i>	FAX NUMBER:
	POSTAL CODE: <i>N8Y 2S3</i>

MAILING ADDRESS FOR BUSINESS, IF DIFFERENT THAN ABOVE:

STREET ADDRESS:	CITY, PROVINCE:
	POSTAL CODE:

LICENCE CATEGORY

LICENCE FEES

LODGING HOUSE - CLASS 1

NEW - \$518.00

RENEWAL - \$478.00

HAVE YOU EVER HAD ANY PREVIOUS MUNICIPAL LICENCE(S)?

YES NO IF YES: What type? *ADULTS*

What year? *2015*

HAVE YOU EVER BEEN CONVICTED OF ANY CRIMINAL OR INDICTABLE OFFENCE IN CANADA OR ANY OTHER COUNTRY?

YES NO IF YES: Year? _____

Location? _____

PLEASE ENCLOSE THE FOLLOWING DOCUMENTS WITH THIS APPLICATION:

<input checked="" type="checkbox"/> ELECTRICAL SAFETY AUTHORITY	<input checked="" type="checkbox"/> PARKING FACILITY DIAGRAM <i>30</i>
<input checked="" type="checkbox"/> INSURANCE POLICY <i>Hoffman</i>	<input checked="" type="checkbox"/> BUSINESS OWNERSHIP DECLARATION <i>30</i>
<input checked="" type="checkbox"/> BOARD OF HEALTH CERTIFICATE <i>copy</i>	<input checked="" type="checkbox"/> FLOOR PLANS (NEW ONLY 2 COPIES) <i>3</i>
<input checked="" type="checkbox"/> POLICE RECORDS CHECK (NEW ONLY) <i>Renewal</i>	

DEPARTMENT DISTRIBUTION ONLY:

<input checked="" type="checkbox"/> BUILDING DEPARTMENT - ZONING CLEARANCE	<input checked="" type="checkbox"/> FIRE DEPARTMENT - CLEARANCE
<input type="checkbox"/> BUILDING DEPARTMENT - STRUCTURAL	

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 OCTOBER 31ST ANNUALLY. A 50% LATE PENALTY IS ADDED TO THE BUSINESS LICENCE FEE ON NOVEMBER 1ST. THE APPLICANT COULD FACE FURTHER PENALTIES/FINES FOR OPERATING WITHOUT A VALID BUSINESS LICENCE.

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I 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 395-2004. 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.

9/29/2015
DATE (MM/DD/YYYY)

SIGNATURE OF APPLICANT & TITLE



OFFICE OF THE CITY CLERK

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

RECEIVED

LODGING HOUSE APPLICATION

OFFICE USE ONLY

CLASS 1 - PAGE 2

OCT 02 2015

LICENCE #

APPLICANT NAME AND ADDRESS

APPLICANT(S) NAME: PETER BASHA
RESIDENCE ADDRESS:
ADDRESS OF LODGING HOUSE: 1636 DROUILLARD WINDSOR

IF THE APPLICANT DOES NOT RESIDE IN THE CITY OF WINDSOR, COMPLETE BELOW.

A PERSON OVER 21 YEARS WHO WILL RESIDE PERMANENTLY IN THE CITY OF WINDSOR AS AGENT OF THE APPLICANT.

NAME: BRIAN CRAIG CITY, PROVINCE: ON WINDSOR, ONTARIO
STREET ADDRESS:
HOME PHONE:
CELL PHONE:

Table with 2 columns: Feature (Maximum number of occupants, Number of rooms available for occupancy, Separate showers, Bathtubs) and Value (52, 12, 2, 2)

Table with 4 columns: Meals (Breakfasts, Lunches, Dinners), Maximum # of meals served, Location, Seating capacity of room

I AM ATTACHING A FLOOR PLAN IN DUPLICATE SHOWING MEASUREMENTS AND DESIGNATION OF EACH ROOM, OR IF THE APPLICATION IS FOR RENEWAL OF LICENCE, I HEREBY CONFIRM THAT THERE HAS BEEN NO CHANGE IN THE NUMBER, LOCATION, SIZE AND USE OF THE ROOMS IN THE ABOVE PREMISES SINCE THE ISSUE OF LICENCE FOR THE YEAR

APPLICANT'S SIGNATURE AND TITLE

FORM 2 - CONSENT OF AGENT FOR KEEPER OF LODGING HOUSE

I, BRIAN CRAIG HEREBY CONSENT TO ACT AS AGENT FOR #103704 ONT LIMITED THE KEEPER OF A LODGING HOUSE AT #1636 DROUILLARD AND CONFIRM THAT I RESIDE PERMANENTLY IN THE CITY OF WINDSOR AT #1636 DROUILLARD

- I HEREBY ACKNOWLEDGE THAT AS AGENT FOR THE SAID KEEPER I AM RESPONSIBLE FOR THE OPERATION OF THE SAID LODGING HOUSE.
I SHALL FORTHWITH NOTIFY THE LICENCING COMMISSIONER OF THE CORPORATION OF THE CITY OF WINDSOR IN WRITING OF ANY CHANGE OF MY RESIDENCE ADDRESS AND TELEPHONE NUMBER.
I AM FAMILIAR WITH THE REGULATIONS CONTAINED IN BY-LAW NUMBER 395-2004 GOVERNING LODGING HOMES AND I UNDERSTAND THAT I CAN BE PROSECUTED FOR VIOLATION THEREOF.

SIGNATURE OF AGENT

DATE (MM/DD/YYYY) 1/10/15

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I 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 395-2004. 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.

DATE (MM/DD/YYYY) 10/02/2015

SIGNATURE OF APPLICANT & TITLE



OFFICE OF THE CITY CLERK

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

BUSINESS OWNERSHIP DECLARATION

If your business is a CORPORATION:

I, Peter Barth of the Municipality of Windsor, Province of Ontario,

being the CEO of 1037047 Ontario Ltd. herein after referred to as the

"Corporation", in the matter of Licensing Application for CRASSI Gaming House hereby declare:

That the Corporation shall carry on business as 1037047 Ontario Ltd. at 1636 Phoenix and Rd during the currency of the licence, if granted.

I hereby declare I am an authorized signing officer with, and therefore have authority to bind, the Corporation and that all information included in this form is complete and accurate.

Signature: [Handwritten Signature] Print Name: Peter Barth

RECEIVED OCT 02 2015 POLICY GAMING & LICENSING 10/02/2015 Date (MM/DD/YYYY)

If your business is a SOLE PROPRIETORSHIP:

I, [Name] of the Municipality of [City], Province of Ontario,

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 [Trade Name] at [Business Address] during the currency of the licence, if granted.

I hereby declare that all information included in this form is complete and accurate.

Signature _____ Print Name _____ Date (MM/DD/YYYY) _____

If your business is a PARTNERSHIP:

I, [Name] of the City of [City], Province of Ontario,

being the Owner of [Business Name] herein after referred to as the "Partnership"

of Licensing Application for [Licence Type] hereby declare:

That the Partnership shall carry on business as [Trade Name] at [Business Address] during the currency of the licence, if granted.

I hereby declare that I am authorized to sign on behalf of the Partnership and that all information included in this form is complete and accurate.

Signature _____ Print Name _____ Date (MM/DD/YYYY) _____

1636 DROUILLARD RD (Teeg) LH

Folder | Property (1) | People (5) | Info (17) | Fee/Charge (4) | **Process (6)** | Document (12) | File | Inspection Req. | Comment (1) | Attachment

Folder #	Ref.	Folder 15 205715 000 00 LH	Process	1050 B&B Lodging Home Inspection
2015 205715 000 00 LH		Property 1636 DROUILLARD RD	Inspection#	
Status: Closed	Start Date	End Date		
User: Eddy Staudt	Schedule: Oct 16, 2016			
Sign Off: Eddy Staudt	Actual: Oct 27, 2016	Feb 26, 2016		
Discipline: Inspection	BaseLine: Oct 16, 2016			

Print Flag Mandatory Assign To-Do Scheduled

Display Order File Location ProcessRSN 2952324 Priority

COMMENTS

Attempt (3) | Checklist | Memo | Deficiency | Attachment | Dependency | Info | Consent | Insp. Detail

Date	User	Comment	Result	Hours	Mileage	Expense
Jan 08, 2016	Eddy Staudt	Attended the site @ 12:30pm as scheduled	Communication	0.5		
Jan 08, 2016	Eddy Staudt	Attached is the email received from Shelly Wisem	Communication	0.5		
Feb 25, 2016	Eddy Staudt	Attached is a copy of an email from Craig Roberts	W/L.C. Report Rec	0.5		

A: Text Field Editor (Maximum 4000 characters)

I attended the site @ 12:30pm as scheduled and spoke with manager Brian Craig. He was expecting Architect Alex of Corzier Baird @ 1:00pm to go over the initial process of the dwg. submission. I advised Brian to reschedule once the permit has been issued with approved plans for review.

3 Rows Returned

Spell Check | Rulers

List View | C: Relat

Show no. of rows on tabs

End Today	End on Due	Assign	Sign Off	Clock Activity	Review Email
-----------	------------	--------	----------	----------------	--------------

6 Rows Returned

1 Row Returned

Wiseman, Shelly

From: Robertson, Craig
Sent: Friday, January 08, 2016 9:37 AM
To: Staudt, Eddy; Wiseman, Shelly
Cc: Coste, Michael; Lunardi, Dan; Vani, Rob
Subject: RE: 1636 Drouillard Rd.

Thanks Eddy, we won't be issuing anything until we get the "ok" from both Fire & Building...I will have Peter get in touch with your area so that he can make the necessary arrangements. If compliance cannot be achieved then the Department (Rob or Dan) will need to make a recommendation to bring the matter forward to the Windsor Licensing Commission.

CR

From: Staudt, Eddy
Sent: Friday, January 08, 2016 9:28 AM
To: Robertson, Craig; Wiseman, Shelly
Cc: Coste, Michael; Lunardi, Dan; Vani, Rob
Subject: RE: 1636 Drouillard Rd.

Good morning Craig,

Until he provides the necessary information and schedules the inspection and approvals are met, no license should be issued. The upstairs has numerous issues that need to be dealt with.

Regards,

Eddy

From: Robertson, Craig
Sent: Friday, January 08, 2016 9:18 AM
To: Wiseman, Shelly; Staudt, Eddy
Cc: Coste, Michael; Lunardi, Dan; Vani, Rob
Subject: RE: 1636 Drouillard Rd.

I'm not sure when the last site visit was but my understanding from talking with Peter over the past month or so is that the upstairs has been completely renovated. He called yesterday inquiring what was holding up his licence. I advised him that we are waiting for Building and Fire approval. I will get try to contact Peter today and advise him to get in touch with Building.

Craig Robertson

Supervisor of Licensing & Deputy Licence Commissioner
 City of Windsor / Office of the City Clerk
 Policy, Gaming, Licensing & Bylaw Enforcement
 Phone (519) 255-6100 ext. 6869 / Fax (519) 255-6868
 Email: crobertson@citywindsor.ca
 Website: www.citywindsor.ca

From: Wiseman, Shelly
Sent: Friday, January 08, 2016 8:48 AM
To: Robertson, Craig
Subject: FW: 1636 Drouillard Rd.

From: Staudt, Eddy
Sent: Friday, January 08, 2016 7:56 AM
To: Wiseman, Shelly; Coste, Michael
Cc: Lunardi, Dan; Vani, Rob
Subject: RE: 1636 Drouillard Rd.

Good morning Shelly,

To date, the owner has made a submission for a permit to reconstruct the upstairs for a Lodging House. In previous years they had their license for 9 rooms at the rear of the bldg. I am taking them to court on this matter as they had people living on the 2nd floor illegally. The permit fee is based on the cost of construction and Peter insists that he is not spending any money on the 2nd floor as it is in an acceptable condition to occupy. We feel otherwise. Until such time that he has a permit in place and the upstairs meets all of the necessary requirements no license can be issued.

Regards,

Eddy

From: Wiseman, Shelly
Sent: Thursday, January 07, 2016 2:57 PM
To: Staudt, Eddy; Coste, Michael
Subject: 1636 Drouillard Rd.
Importance: High

"Peter Barth" at the above location. We received the application in our office for a Lodging House-Class I Licence on October 2, 2015.

Can you both please provide me with an update on the inspection status in regards to this property? The applicant has submitted all required documentation and we would like to proceed with issuing his licence if everything is in compliance on your end.

Thank you,

Shelly Wiseman | Licence Issuer (A)
Corporation of the City of Windsor | Council Services
350 City Hall Square West-Suite 203 | Windsor, ON | N9A 6S1
P. 519-255-6100 ext. 1899 | F. 519-255-6868
swiseman@citywindsor.ca



Notice: My Email Address has Changed

The domain name for all City of Windsor email addresses is now @citywindsor.ca

Please update me in your contact list by switching the suffix in my email address to @citywindsor.ca

Thank you.



The Corporation of the City of Windsor

Office of the City Clerk

Policy, Gaming, Licensing & By-law Enforcement

Valerie Critchley
City Clerk & Licence Commissioner

January 21, 2016

Peter Barth
1037047 Ontario Inc.
1636 Drouillard Rd.
Windsor, ON N8Y 2S3

Dear Peter Barth:

RE: Lodging House Class I Licence – 15-205715

Further to your licence application for the above property, we have received a report from the Building Inspector in the Building Department indicating deficiencies. For further information with respect to bringing your application into compliance with the Building Department, please contact Eddy Staudt at (519) 255-6611 ext. 6192.

The premises must be brought into compliance to the satisfaction of the Building Department by no later than **February 4, 2016**. Failure to do so will result in your application being forwarded to the Windsor Licensing Commission for denial.

I submit the above for your immediate attention.

Yours Truly,

A handwritten signature in black ink, appearing to read 'S. Wiseman', written over a horizontal line.

Shelly Wiseman
Licence Issuer (A)
Corporation of the City of Windsor
Office of the City Clerk
(519) 255-6100 ext.1899

Tilson, Shannon

From: Hansen, Sandy
Sent: Tuesday, February 16, 2016 2:49 PM
To: Tilson, Shannon
Subject: FW: T'Zers Lodging House - 1636 Drouillard

FYI – T'Zers Lodging House



Sandy Hansen | licence issuer
 policy, gaming & licensing | office of the city clerk
 corporation of the city of windsor | www.citywindsor.ca
 350 city hall square west suite 203 | windsor, ontario | n9a 6s1
 p. 519-255-6100 ext 1898 | f. 519-255-6868

From: Robertson, Craig
Sent: Friday, February 12, 2016 1:50 PM
To: Lunardi, Dan; Staudt, Eddy
Cc: Hansen, Sandy; Kalinowski, Ann; Tetler, Janna
Subject: RE: T'Zers Lodging House - 1636 Drouillard

Thanks Dan. Eddy will just need to indicate WLC recommendation on the AMANDA attempt result so that Janna can start the process. We will let you know when the matter will be going forward. Thanks again guys.

From: Lunardi, Dan
Sent: Friday, February 12, 2016 1:29 PM
To: Robertson, Craig; Staudt, Eddy
Cc: Hansen, Sandy; Kalinowski, Ann
Subject: RE: T'Zers Lodging House - 1636 Drouillard

Thanks Craig.

Building has determined that that this file be referred to WLC for failing to comply with an Order from Building. Let me know if you require anything else from us on this matter.

Regards,
Dan Lunardi
Deputy Chief Building Official / Manager of Inspections

From: Robertson, Craig
Sent: Friday, February 12, 2016 1:21 PM
To: Staudt, Eddy; Lunardi, Dan
Cc: Hansen, Sandy; Kalinowski, Ann
Subject: RE: T'Zers Lodging House - 1636 Drouillard

Hi Eddy & Dan – thanks for the update on this one not to be confused with “! on Tec Rd E. By-law Enforcement wouldn’t lay a ticket in this situation as an application has been made to operate a Lodging Home pending City Inspection approvals. The most appropriate course of action would be for Building to recommend that this go to

the WLC for failing to comply with Building orders/deficiencies etc. In turn I would then recommend to the WLC that we refuse the licence application. From there By-law Enforcement can follow up and issue a ticket/fine for operating without a licence.

Craig

From: Staudt, Eddy
Sent: Friday, February 12, 2016 1:10 PM
To: Robertson, Craig; Lunardi, Dan
Cc: Hansen, Sandy
Subject: RE: T'Zers Lodging House - 1636 Drouillard

Good afternoon Craig,

The 2nd floor has 3 occupied rooms in this unlicensed lodging home. I was going to issue a zoning order but it would not stand up in court. Attached is a copy of my February 09/16 notes:

I received a phone call from Mike Coste who is a Fire Prevention Officer with WFD yesterday. He informed me that he was in T'Zers on Friday Feb. 05/16 and conducted an inspection of the 2nd floor (potential lodging home area) and observed that 3 of the rooms were occupied with girls working at the establishment. I attended the site @ 3:30pm & met with manager Brian Craig. He allowed me upstairs to conduct an inspection to see if there has been any progression with work being done. The east side washrooms which were previously boarded to prevent entry have now been opened for use. On a previous inspection Brian informed me that it was boarded because of numerous leaking issues. We also conducted an inspection of the rooms. Brian informed me that there were 3 rooms that were presently being occupied with girls working at the club. I spoke with the girl occupying room # 11(also stickered Y) & she informed me that she is residing in the room & sleeps there @ night. Brian also informed me that Room #2 & 6 were also occupied. I heard a girls voice speaking in room #6 while inside the hallway outside of the room but she would not answer the door and discontinued speaking after I knocked on the door. Room #3 & room #7 also had beds in the rooms complete with sheets, blankets and pillows. Brian informed me that those rooms are not occupied at present. I also noticed the hallway outside the room on the south end of the east hallway, a microwave, coffee maker, sugar, powdered creamer & stir sticks. There are no permits in place to date and no lodging home inspections conducted allowing occupancy. they are presently operating an illegal lodging home.

Would you be able to get someone out to have a look and enforce the none license issue.

Regards,

Eddy

Eddy Staudt C.B.C.O.
Inspector/Property Standards Officer
City of Windsor
Building Department
350 City Hall Square West
P.O.Box 1607
Windsor, Ontario N9A 6S1
Telephone:519-255-6611 x 6192
Fax:519-255-7170
Email:estaudt@citywindsor.ca

From: Robertson, Craig
Sent: Friday, February 12, 2016 8:51 AM
To: Lunardi, Dan; Staudt, Eddy

**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."

Livelihood: Report #	Report Date: May 17, 2016
Author's Name: Craig Robertson, Supervisor of Licensing	Date to Commission: May 25, 2016
Author's Phone: 519 255-6100, Ext. 6869	Classification #:
Author's E-mail: croberson@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. DISCUSSION:

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

<u>APPLICANT</u>	<u>LOCATION</u>	<u>LICENCE CATEGORY</u>	<u>DATE OF APPLICATION</u>
Giglio Enterprises o/a Giglio's Market	2268 Wyandotte Street West	Hospitality Food Service – Lunch Counter	February 22, 2016
Green Bean Coffee Company Inc. o/a Windsor Star News Cafe	300 Ouellette Avenue	Hospitality Food Service	March 16, 2016
Travelodge Windsor LP	33 Riverside Drive East	Public Parking Lot	November 5, 2015

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:

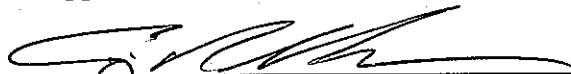
N/A

6. CONSULTATIONS:

N/A

7. CONCLUSION:

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



Craig Robertson
Supervisor of Licensing & Deputy Licence
Commissioner

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:

Name:

Phone #: 519

Ext.

NOTIFICATION :

Name	Address	Email Address	Telephone	FAX