

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

Windsor, Ontario March 23, 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 Steiman, Chair
Councillor Paul Borrelli
Councillor John Elliott
Gino Conte

Regrets received from:

Jack Fathers

Also present are the following resource personnel:

Gary Cian, Deputy Licence Commissioner and Senior Manager of Policy,
Gaming, Licensing & By-law Enforcement
Ann Kalinowski, Manager of By-law Enforcement
Ken Passa, Supervisor Environmental Quality
Craig Robertson, Supervisor of Licensing & Deputy Licence Commissioner
Janna Tetler, Senior Licensing Issuer
Alanna Foulon, University of Windsor student intern
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Chair calls the meeting to order at 9:36 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 January 27, 2016 **BE ADOPTED** as presented.
Carried.

3. DISCLOSURE OF INTEREST

None disclosed.

4. **REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

Moved by Councillor Elliott, seconded by Councillor Borrelli,
That deferral of Item 7(b) – John Middleton o/a JKM Enterprises, Mobile Sign Lessor to the April 27, 2016 Windsor Licensing Commission meeting **BE APPROVED** to ensure proper notice of the next regularly scheduled Licensing Committee meeting as legislated in Business Licensing By-law 395-2004.

Carried.

5. **COMMUNICATIONS**

None.

6. **LICENCE TRANSFERS**

None.

7. **APPLICATIONS/HEARINGS**

(a) **1287702 Ontario Ltd. o/a Wash and Roll – Automobile Service Station – Car Wash**

The applicant is not present to speak to the matter.

The Supervisor of Licensing & Deputy Licence Commissioner indicates prior to this meeting, the applicant advised by telephone that he was not aware of this meeting, although records indicate he did pick up the notice sent by Registered Mail.

Moved by Councillor Elliott, seconded by Councillor Borrelli,
WLC6/16 That the Windsor Licensing Commission **REFUSE TO ISSUE** an Automobile Service Station – Car Wash licence to 1287702 Ontario Ltd. o/a Wash and Roll at 1571 University Avenue West.

Carried.

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

For disposition of this matter, please refer to Item 4 – Request for Deferrals, Referrals or Withdrawals.

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 March 8, 2016 entitled
"Expired Application(s) for Business Licence" **BE RECEIVED**.
Carried.

9. IN CAMERA

The applicant is present and available to answer questions.

Verbal Motion is presented by G. Conte, seconded by Councillor Borrelli, to
move In Camera at 9:44 o'clock a.m. for discussion of the following item:

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

Motion Carried.

Discussion on the item of business.

Verbal Motion is presented by Councillor Elliott, seconded by Councillor Borrelli, to move back into public session at 9:50 o'clock a.m.

Motion Carried.

Moved by Councillor Borrelli, seconded by Councillor Elliott,
That the Clerk **BE DIRECTED** to transmit the recommendation(s) contained
in the report(s) discussed at the In Camera Windsor Licensing Commission
meeting held March 23, 2016 directly to the Windsor Licensing Commission for
consideration at the next Regular Meeting.
Carried.

Moved by Councillor Borrelli, seconded by Councillor Elliott,
WLC7/16 That the In Camera report relating to a personal matter about an
identifiable individual **BE RECEIVED** and further, that Administration **BE REQUESTED**
to proceed in accordance with the verbal direction of the Windsor Licensing
Commission.
Carried.

10. DATE OF NEXT MEETING

The next meeting will be held on April 27, 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 9:51 o'clock a.m.

CHAIR

SECRETARY

A G E N D A

WINDSOR LICENSING COMMISSION

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at 9:30 o'clock a.m.
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None.

7. APPLICATIONS/HEARINGS

- (a) 1287702 Ontario Ltd. o/a Wash and Roll – Automobile Service Station – Car Wash
- (b) John Middleton o/a JKM Enterprises – Mobile Sign Lessor

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9. IN-CAMERA AGENDA

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

10. DATE OF NEXT MEETING

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April 27, 2016
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

April 27, 2016

APPLICANT/LICENSEE:

Ms. Lidija Horvat
Horvat & Ward Inc. o/a Advantage
Transportation
3591 Innerkip Crescent
Windsor, ON N8W 5V1

LICENCE CATEGORY:

Livery Vehicle
(Class D – Van)
Licence # 16 115385

Livelink # ACLT/12505

HEARING PARTICULARS:

Approve application with conditions- Livery Vehicle, Class D – Van

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”
- Copy of Safety Standards Certificate, being Appendix “F”
- AMANDA “screen shot” showing the number of licensed Class ‘D’ Livery Vehicles, being Appendix “G”

LICENCE COMMISSIONER’S COMMENTS

A new application for a Livery Vehicle Licence was submitted on March 8, 2016 by Ms. Lidija Horvat of Horvat & Ward Inc. o/a Advantage Transportation, 3591 Innerkip Crescent, Windsor. The Licensing Division has no past records for this business. Currently there are 5 Class “D” Livery Vehicle licences 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.”

“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.”

“10.9 No Class D livery vehicle shall be more than seven (7) model years in age.”

BACKGROUND

The following is an itemized list of documents submitted on March 8, 2016 on behalf of Horvat & Ward Inc. o/a Advantage Transportation:

- An application for a Class “D” 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"
- Copy of Safety Standards Certificate, copy attached as Appendix "F"

SUMMARY

Currently there are 5 Class D Livery Vehicles licensed in the City of Windsor. Therefore, we are within the 30 vehicle limit contained in By-Law 137-2007.

Ms. Horvat has not yet purchased a vehicle however, she has indicated interest in purchasing a 2013 Dodge Caravan (V.I.N. 2C4RDGBG6DR785991) and has been made aware that should her application be approved, she is liable to satisfy the remaining requirements of Schedule 3 to By-Law 137-2007, namely:

- Procuring insurance that is satisfactory to Section 9.1 of Schedule 3;
- Submitting said vehicle to an inspection by the By-Law Enforcement unit.

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 Ms. Lidija Horvat of Horvat & Ward Inc. o/a Advantage Transportation, 3591 Innerkp Crescent, Windsor, to operate one (1) Class D – Livery Vehicle **BE APPROVED** with the following conditions:

- Mr. 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

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



RECEIVED

FOLDER #: 16-115385

MAR 08 2016

Vehicle Class:

LIVERY PLATEHOLDER APPLICATION

(2 pages)

REQUIRED:

Safety Certificate

Photo of Vehicle

Vehicle Ownership

Market Study

Insurance Policy

Rate Schedule

POLICY GAMING & LICENSING

WLC

LICENCE FEE(S):

Livery Vehicle – Motorized	(\$180.00 each)	No. of Plates:	\$
Livery Vehicle – Muscular	(\$70.00 each)	No. of Plates:	\$
TOTAL FEE			\$

PLEASE PRINT CLEARLY

APPLICANT Personal Information	NAME: <u>Lidija Horvat</u>			
	ADDRESS: _____			
	CITY: _____	POSTAL CODE: _____	PHONE: _____	FAX: _____
	DATE OF BIRTH: _____			
BUSINESS INFORMATION	BUSINESS NAME: <u>Advantage Transportation</u>			
	BUSINESS ADDRESS: <u>3591 Innerlip Crescent</u>			
	CITY: <u>Windsor</u>	POSTAL CODE: <u>N9A5V1</u>	PHONE: <u>(519) 915 9597</u>	FAX: _____
	NAME OF CORPORATION: <u>Horvat & Ward Inc.</u>			
PREVIOUS LICENCES	TYPE: _____		YEAR: _____	

Have you ever been convicted of an indictable offence in Canada or any other criminal offence in any other country?

YES

NO

If so, year: _____

Place: _____

THE DEADLINE TO OBTAIN THE RENEWAL OF A LIVERY VEHICLE LICENCE IS AUGUST 31ST. FAILURE TO OBTAIN A LICENCE RENEWAL BY AUGUST 31ST MAY RESULT IN FURTHER PENALTIES AND/OR FINES. A 50% PENALTY IS ADDED TO THE ABOVE LICENCE FEE ON SEPTEMBER 1ST.

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 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, Option 1.

Mar. 08 / 2016
DATE (MM/DD/YYYY)

L. Horvat
SIGNATURE OF APPLICANT



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 VEHICLE LICENCE APPLICATION (page 2)

VEHICLE INFORMATION:

City Plate	Year of Manufacture	Make/Model Class of Vehicle	Provincial Plate No.	V.I.N.
BYWC280	2013	Dodge Caravan.	BYWC280	2C4RDG6GGR785991

PARTICULARS OF INSURANCE:

Insurance Liability	\$	Expiry Date	
Insurance Company	RECEIVED		
Insurance Agent	MAR 08 2016		

POLICY GAMING & LICENSING

- By making application, 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 compliance with any provincial operating licenses required by the Ministry of Transportation.

DATE (MM/DD/YYYY)

APPLICANT'S SIGNATURE

COMPLIANCE OFFICER INSPECTION COMMENTS:

APPROVED

NOT APPROVED

Compliance Officer Signature: _____



OFFICE OF THE CITY CLERK
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BUSINESS OWNERSHIP DECLARATION

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

I, Lidija Horvat, of the Municipality of Windsor, Province of Ontario,
 (Your Name) (Where You Reside)
 being the OWNER of HORVAT & Ward Inc. herein after referred to as the
 (Title) (Corporation Name and/or Number)

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

That the Corporation shall carry on business as Advantage Transportation at
 (Trade Name)
359/ Innerkip, Windsor, ON N9W5V1. 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] Lidija Horvat 08/03/2016
 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.

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 Signature MAR 08 2016 Print Name Date (MM/DD/YYYY)

POLICY GAMING & LICENSING

> 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)

ADVANTAGE TRANSPORTATION MARKET STUDY

Essex County Transportation has a need for additional transportation for both seniors and those living with mental and developmental disabilities, as well as the general population.

SENIORS/DISABLED/OTHER VULNERABLE POPULATIONS

Seniors and those with disabilities either living alone or in assisted living housing have a current need for individual transportation to medical and other professional appointments in their local community. Also there is a need for transportation to leisure and recreational outings offering group rates for savings.

Transit Windsor Senior Specials is a transportation service that has routes from selected senior buildings in Windsor to limited community locations Monday through Thursday. Handi Transit offers curb to curb bus service for those living with physical disabilities, but does not offer personalized door to door service. With that being said, a need for more personal transportation still exists for assisted transportation.

NEED FOR CARE-BASED TRANSPORTATION

There is a growing need for transportation that includes someone who not only drives, but also remains with the passenger on appointments to assist with sign-in, reading paperwork, interpreting conversations for those who are hearing impaired, advocating for this vulnerable population that could be vulnerable in certain settings. Traditional transportation, such as taxi cabs and buses do not meet the needs of passengers who require assistance on outings.

Safety is also a concern for vulnerable populations within our communities. Risks of falling, losing their way, being susceptible to crimes, etc. are minimized with care-based transportation. Passengers have a sense of security during inclement weather or when unexpected emergencies occur during outings.

There are times when those with special needs living independently feel the need to use ambulance services to travel to emergency rooms, when some of their medical needs could be taken care of in the doctor's office. Unfortunately, there is fear associated with the urgent need to access medical care, especially when living afar off from family members.

GENERAL POPULATION

Temporary incapacities can limit driving ability and warrant the need for personalized transportation at any given time. Crown Medical Transportation and Patient Transfer Service specialize in providing non-emergency medical based services: their vehicles are equipped for wheelchairs and gurneys. Advantage can offer lower rates to accommodate those not requiring

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MAR 08 2016

more serious medical-based transit. Currently there is a limited number of affordable, personalized transportation choices for consumers.

FEEDBACK FROM COMMUNITY AGENCIES

After speaking to a few Rest Home Managers and Directors in the Windsor/Essex County area, it was discovered that some residents who have limited financial resources for transportation tend to miss appointments resulting in reduced quality of medical care. Advantage will offer complimentary comprehensive management services that assist with the application process to access Mandatory Special Necessities benefits through ODSP to alleviate this financial burden that interferes with receipt of adequate medical care. Currently cabs are utilized for some residents; transportation comparative to taxi cost providing additional personalized service by trained drivers would benefit this population.

RESEARCH

According to Martin Turcotte's article in Canadian Social Trends 2012, "Profile of Seniors' Transportation Habits," in 2009, 3.25 million people aged 65 and over had a driver's licence—three-quarters of all seniors. Of that number, about 200,000 were aged 85 and over. Seniors' dependence on cars raises safety issues. Although most seniors drive carefully, statistics show that people aged 70 or older have a higher accident rate per kilometer driven than any other age group except young male drivers. A majority of them want to grow old in their own homes and take an active part in society. To do so, they need some form of transportation to run errands, participate in recreational or volunteer activities and visit family and friends. Their desire to remain in their homes is not very realistic unless they have adequate transportation. In most residential areas, this means having access to a private vehicle. In addition, seniors are more likely than younger people to be killed when they are involved in a collision. In the context of an aging population, the balance between road safety and the autonomy some people associate with driving is a growing concern."

OUR ROLE

The safety of our most vulnerable citizens, as well as access to needed medical care are concerns for our community. Advantage Transportation plans to help this population maximize their independence while remaining in the communities that they have grown to know and love.

Advantage Transportation

Rate Schedule for 2016

Transportation Hours: Monday – Friday 6am -10pm Saturday 8am – 10pm Sunday 8am – 6pm

Transportation Fees

Round Trip w/ Assistance	\$68.00
Round Trip	58.00
One Way w/ Assistance	40.00
One Way	35.00

Group Outings (per person)

2 Hours or Less	\$20.00
2 Hours or More	25.00

Assistant Wait Time

1 Hour	\$20.00
½ Hour	10.00

Group Shuttle Service (per person)

Round Trip Within Windsor	\$10.00
Round Trip Outside Windsor	15.00

One on One Outings

1 Hour	\$40.00
2 Hours	70.00
3 Hours	90.00

Financial Policies and Instructions

- Payments can be made with cash, credit/debit cards, money orders or checks.
- A fee of \$20.00 will be assessed for returned checks.
- Failure to cancel within two hours prior to driver's scheduled arrival time for pickup will result in \$10.00 fee.
- Late payments for billed clients will result in \$10.00 late fee.
- All rates are subject to change at any time.

RECEIVED

MAR 08 2016

POLICY GAMING & LICENSING



RECEIVED

MAR 08 2016

POLICY GAMING & LICENSING