

WINDSOR LICENSING COMMISSION

Meeting held May 21, 2025

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. in Room 522a, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Renaldo Agostino
Councillor Angelo Marignani
Sam Sinjari

Delegation in attendance:

Dr. Dante Capaldi, regarding **Item 7(a)**

Also present are the following resource personnel:

Steve Vlachodimos, City Clerk and Licence Commissioner
Craig Robertson, Manager Licensing & Enforcement and Deputy Licence Commissioner
David McGregor, Fire Prevention Officer
Karen Kadour, Committee Coordinator

1. Call to Order

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

2. Disclosure of Interest

Councillor Renaldo Agostino discloses an interest and abstains from voting on Item 7(b) being 1287678 Ontario Inc. o/a Turbo Espresso Lounge as he is a close friend and former associate of the applicant.

3. Adoption of the Minutes

Moved by Councillor Angelo Marignani, seconded by Sam Sinjari,
That the minutes of the meeting of the Windsor Licensing Commission held December 5, 2024 **BE ADOPTED** as presented.
Carried.

4. Requests for Deferrals, Referrals or Withdrawals

Craig Robertson reports there is a request to withdraw Item 7(c), applicant Patrick Kim, 2779590 Ontario Inc. o/a Harbour House. He advises that confirmation was received from the Fire Department that the applicant complied with the necessary deficiencies and requirements prior to the meeting. The Fire Department has approved the 2024 application and confirmed that the applicant came in to renew for 2025.

5. Communications

None.

6. Licence Transfers

None.

7. Applications/Hearings

7(a) 14048601 Canada Inc. o/a Cup or Cone

Craig Robertson advises that the applicant Khalifah Salah, 14048601 Canada Inc. o/a Cup or Cone is not present. He adds that the applicant has not responded to phone calls from the Fire Department or has reached out to Administration regarding the hearing.

Moved by Councillor Renaldo Agostino, seconded by Sam Sinjari,
That the Windsor Licensing Commission **REFUSE TO RENEW**, Hospitality Food Service licence, 24 034238 for 14048601 Canada Inc. o/a Cup or Cone, 4320 Howard Avenue, Windsor, ON N9G 1P4 285 submitted on July 26, 2024.
Carried.

7(b) 1287678 Ontario Inc. o/a Turbo Espresso Lounge

Dr. Dante Capaldi is present regarding the Entertainment Lounge licence (# 24 028779) for 1287678 Ontario Inc. o/a Turbo Espresso Lounge, 285 Ouellette Avenue, Windsor, Ontario.

David McGregor, Fire Prevention Officer is also present

Craig Robertson provides the chronology of events as it relates to the licence transfer request as follows:

- June 20, 2024, renewal was submitted for the Entertainment Lounge licence for 1287678 Ontario Inc. o/a Turbo Espresso Lounge.
- December 17, 2024, Fire Prevention Officer, David McGregor, conducted an initial fire inspection and observed various violations under the Ontario Fire Code.
- February 5 and February 26, 2025, Fire Prevention Officer, David McGregor attempted to contact the applicant for re-inspection.
- March 6, 2025, Fire Prevention Officer David McGregor attended for follow-up inspection, and noted that many of the deficiencies remained outstanding.
- April 1, 2025, Fire Prevention Officer, David McGregor spoke to the applicant advising re-inspection needed to be completed.
- April 7, 2025 – Licencing Office issues a refuse to renew letter stating the application has not satisfied the fire inspection requirement and to contact the Fire Prevention Office, David McGregor at Fire & Rescue Services to bring the fire inspection into compliance by no later than April 22, 2025.
- April 25, 2025, Applicant has not satisfied fire inspection requirement to date.

Craig Robertson advises Administration's position on the matter is that they have been operating since 2024 with fire deficiencies that have not been addressed or, verified that they have been corrected, and it is not in the public interest to continue with this application.

Dr. Dante Capaldi provides the following remarks:

- He advises that he is the owner of the building who allowed the operator to manage the building. He adds that he neglected the property
- There was no communication between this institution and his company.
- Requests that the licence be suspended for a period of time to allow him to complete the deficiencies according to the Order.
- He states that the Registered Letter sent to 285 Ouellette was never received.

Craig Robertson responds they are not revoking or suspending the licence as the licence has not been issued. He indicates that the applicant does not have a municipal business licence at this time. Direction is to refuse the 2024 application, to correct everything and then apply for the 2025 licence.

In response to a question asked by Dr. Dante Capaldi regarding if the operator can continue operating without a licence, Craig Robertson responds at this point they are operating without a licence, and they could be subject to fines or penalties. Craig Robertson states they typically do not hold up a business operation when an application has been submitted. He states the issue they have is that the Fire Department who have visited the property has noted deficiencies. He indicates there is no revocation or suspension of the licence; they are refusing to renew the 2024 licence application. By the Committee refusing to renew the licence, this will provide an opportunity to comply

with the Fire Code and to get the building up to standards. Following that, the licensee can apply for the 2025 licence as a new application.

Discussion ensues regarding notice and as the Licensing Department has no record of the current applicant's address, it is generally agreed that the applicant is requested to provide that information at the time of the application. Craig Robertson confirms that the mailing address on file is that of the business as provided by the applicant.

Councillor Angelo Marignani asks that David McGregor, Fire Prevention Officer provide an overview of the Fire Code deficiencies. It is noted there are nine violations.

Sam Sinjari questions if a deferral would be easier as the operator is not present. Craig Robertson responds that the licence is not issued to the operator; the licence is issued to the corporation. He adds there are two options – can take Administration's recommendation or to provide the applicant with additional time to correct the deficiencies within a prescribed deadline. Once corrected, would apply for their 2025 renewal with penalty.

Moved by Councillor Angelo Marignani, seconded by Sam Sinjari,
That **APPROVAL BE GIVEN** to allow the application for an Entertainment Lounge Licence at 285 Ouellette Avenue o/a Turbo Espresso Lounge to continue for 30 days and if compliance with the fire requirements has not been met, that the application would automatically **BE REFUSED** and,

If there is compliance, the applicant would **BE REQUIRED** to apply for the 2025 licence which would be subject to licence fees and penalties, and further,

That communication **BE IMPROVED** to ensure that all germane information is provided to the Licensing Department.

Carried.

Councillor Renaldo Agostino discloses an interest and abstains from voting on the matter.

7(c) 2779590 Ontario Inc. o/a Harbour House

This matter has been withdrawn as the applicant complied with the fire deficiencies.

8. Reports & Administrative Matters

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

Moved by Sam Sinjari, seconded by Councillor Renaldo Agostino,
That the report of the Deputy Licence Commissioner dated April 28, 2025 entitled
“Expired Application(s) for Business Licence” **BE RECEIVED**.
Carried.

9. In Camera

No In Camera session is held.

10. Date of Next Meeting

The next meeting will be held at the call of the Chair.

11. Adjournment

There being no further business, the meeting is adjourned at 10:05 o'clock a.m.