

Windsor Licensing Commission
Meeting held August 28, 2024

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. in Room 139, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Renaldo Agostino, via Zoom video conference
Councillor Angelo Marignani

Regrets received from:

Harbinder Gill
Jayme Lesperance

Delegations in attendance:

Andom Gebrzgie, Assad Hurmuzlu, regarding ***Item 6(a)***
Golmar Karimi, and Kiemia Rezagian regarding ***Item 6(b)***
Jay Abdolrahmanpour, Walter Bezzina and Mohamad Kashash, regarding ***Item 8(a)***

Also present are the following resource personnel:

Steve Vlachodimos, City Clerk and Licence Commissioner
Craig Robertson, Manager, Licensing & Enforcement, Deputy Licence Commissioner
Rory Sturdy, Supervisor of By-law Enforcement
Sandy Hansen, Senior Licence Issuer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:35 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

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino, That the misspelling of the Councillors' names (Councillor Angelo Marignani and Councillor Renaldo Agostino) **BE CORRECTED**.
Carried.

4. Request for Deferrals, Referrals or Withdrawals

None.

5. Communications

None

6. Licence Transfers

6(a) Andom Gebrzgie, Transferor and Assad Hurmuzlu, Transferee appear before the Windsor Licensing Commission regarding the transfer of Plate #001.

Craig Robertson provides the following remarks regarding the transfer of Plate #001:

- An application was submitted to the Windsor Licensing Commission on May 13, 2024. The applicants have satisfied that application.
- Administration reviewed that application and is prepared to recommend transfer of the Taxicab plate #001.

Moved by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino, That the transfer of Taxicab Plate #001 from Andom Gebrzgie to Assad Hurmuzlu **BE APPROVED** with the following conditions:

- i. Assad Hurmuzlu be given thirty (30) days from the date of the approval to submit a vehicle for inspection that complies with Schedule 5 to By-law 150-2018, including a valid safety standards certificate.
- ii. Assad Hurmuzlu be given thirty (30) days from the date of the approval to submit a Taxicab Plate Holder application and pay the associated fee.
- iii. Assad Hurmuzlu be given thirty (30) days from the date of the approval to provide verification that full compensation has been made to Andom Gebrzgie in consideration of the transfer of Taxicab plate #001.
- iv. Assad Hurmuzlu shall not lease Taxicab plate #001 for a one-year period as stated in Schedule 5, Section 21.3 of Licensing By-law 150-2018.

Carried.

6(b) Request to extend Estate Trustee as Plate Holder for Taxicab Plate #088

Golmar Karimi, Trustee for the Estate of the Late Fazlullah Rezagian and Kiemia Rezagian appear before the Windsor Licensing Commission regarding the request to extend the Estate Trustee as plate holder for Taxicab Plate #088.

Craig Robertson provides the following remarks regarding the request by the Estate Trustee to extend the plate holder terms of Plate #088 as a result of the plate holder's passing:

- On September 13, 2022, the Licensing Division was notified of Mr. Rezagian's passing.
- Received documentation confirming Golmar Karimi as the Estate Trustee. Per the Public Vehicle Licensing By-law, as the Estate Trustee, the plate will sit in the Estate. There is a two-year time period to decide what they want to do with the plate.
- Received a letter earlier this year from the Estate Trustee indicating some circumstances that they have been unable to transfer the plate in the past two years.
- The Estate Trustee had been relying on the income from this plate to support her family while still dealing with the passing of Mr. Rezagian.
- Administration is of the opinion that the request being put forward is not unreasonable and is prepared to recommend that the Windsor Licensing Commission approve a year extension; that Golnar Karimi maintain the plate, and if she does not, or if the Estate is not able to find a transferee of that plate, that the Plate be returned to the Windsor Licensing Commissioner.

Moved by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino, That the Windsor Licensing Commission **RECOMMEND** that the request to permit Golnar Karimi, Estate Trustee, to hold City of Windsor Taxicab Plate #088 and any associated licenses **BE APPROVED** until September 10, 2025, and further, that Taxicab Plate #088 **BE REVOKED** and **RETURNED** to the Licence Commissioner should the taxicab plate not be transferred on or before September 10, 2025.

Carried.

8(a) Response to Request to Eliminate Age Limits for Wheelchair Accessible Taxicabs and Reduced Licence Fees – City Wide

Jay Abdolrahmanpour, Walter Bezzina and Mohamad Kashash, appear before the Windsor Licensing Commission regarding the request to eliminate age limits for wheelchair accessible taxicab and reduced licence fees – city wide.

Craig Robertson provides the following remarks regarding this Administrative Report as a result of the submission by the Owner of Canadian Checker Cab regarding wheelchair accessible taxicabs:

- Administration received a request from Jay Abdolrahmanpour, Owner, Canadian Checker Cab to eliminate the age limits for wheelchair accessible taxicabs as well as asked for the associated licence fees to be reduced.
- Canadian Checker Cab has been the sole provider for wheelchair accessible taxicabs for a number of years. The request from Mr. Abdolrahmanpour was to eliminate age limits for the wheelchair accessible taxicabs as well as to reduce licence fees based on the requirements of the by-law to replace a vehicle after it reaches its age.
- Currently, all taxicabs must be removed from service once they reach ten (10) model years in age.
- Canadian Checker Cab is the only broker that has wheelchair accessible taxicabs in their fleet.
- Over fifty percent of the fleet must come off the road by the end of this month, with the remaining accessible cabs, due to their age, come off in 2025.
- There is a risk of losing wheelchair accessible service in our taxi industry if a solution is not found.
- There were approximately 9,000 taxicab fares that required wheelchair accessible services provided by Checker Cab last year.
- Traditionally, taxicab age limits ranged from six to eight years and then were required to be removed from service. Many municipalities shifted to increase these age limits and level the playing field when Transportation Network Companies like UBER and Lyft started providing transportation services in their municipality.
- A municipal scan was completed to determine how other municipalities were governing age limits for taxicabs.
- Some municipalities do not regulate age limits in their taxi industry, but they focus more on the physical inspection that is done by their by-law enforcement staff who are also certified mechanics. This is something that is not feasible for Windsor due to staff resources and qualifications.
- Most municipalities have similar regulations as Windsor and provide a maximum model year of ten years old for all taxicabs.
- Recent age limit reviews were conducted by the cities of Toronto, Ottawa and London. Those studies concluded that they would maintain a ten-year age limit for regular taxicabs but would increase the age limit for wheelchair accessible taxicabs to 12 years old due to the considerable difference in cost and increased expenses to replace a wheelchair accessible taxicab.
- Administration recommends that Windsor move to a 12-model year age limit for wheelchair accessible taxicabs and maintain the current 10-year age limit for regular taxicabs. The increase in age limit will assist Canadian Checker Cab and ensure that the industry is able to provide a crucial service to our accessible community.
- By providing an additional two years, it will allow for the owner of Checker Cab additional time to replace his existing fleet. Checker Cab will still be subject to

safety certificate submissions at the time of licence application as well as a secondary submission for those vehicles that are older. At any time, the vehicles will be subject to spot inspections by the City's By-law Enforcement Officers and/or the Ministry of Transportation (MTO) at any time or when a complaint is received.

- The 12-model year age limit will also provide an extra incentive for those taxicab drivers that are eligible under the by-law to obtain a wheelchair accessible plate and provide those services.
- There is a request for plate fees to be dropped from \$425. which is not recommended by Administration at this time. Licence fees are based on cost recovery to administer and enforce the City's licensing program.

In response to a question asked by the Chair regarding if the city has been lobbied by the taxi industry to increase the age limit from ten years old to twelve years old, Craig Robertson responds that a letter was provided by Jay Abdolrahmanpour, Owner, Canadian Checker Cab that triggered this report. Craig Robertson remarks that Mr. Abdolrahmanpour is our sole provider for wheelchair accessible taxicab services in our city. He adds that Mr. Abdolrahmanour has come forward with financial constraints and concerns regarding the risk of the City losing wheelchair accessible taxicab services as early as next year.

Mr. Jay Abdolrahmanpour indicates that the licence fee is too much and asks that fees be waived for accessible taxicabs. Craig Robertson responds that the cost to renew each taxicab plate is \$400 and that licence fees are based on cost recovery. Taxicab fees have not been raised since 2007. The \$400 is to capture the cost to administrate and enforce the by-law and licensing program.

Walter Bezzina, representing Vets Cab remarks that they recognize the financial challenge that Mr. Abdolrahmanpour has with respect to keeping accessible taxicab vehicles on the road. He adds that if the owner of Checker Cab can get two more years out of each vehicle as opposed to having to put out a capital expenditure from anywhere from \$45,000 to \$65,000 (each vehicle), it would help tremendously. He adds he is in full support of the administrative report.

Councillor Sleiman asks if Checker Cab has considered increasing the fare. Jay Abdolrahmanpour responds that he is opposed to that as that would be discriminatory to people with disabilities.

Craig Robertson indicates as a result of the Windsor Licensing Commission making a decision today, this information will be forwarded to the Environment, Transportation and Public Safety Standing Committee and then onto City Council as there could be a potential change to the by-law based on the final decision of Council. He indicates that the Licensing Division will work with Mr. Abdolrahmanpour in the meantime to ensure that operations are not disrupted and will hold off from requesting any accessible taxicab vehicle replacements at this time. Craig Robertson suggests that it will take some time for this matter to be reviewed by Standing Committee and Council and

recommended that late fees for this year be waived due to the timing of the report and request from the licensee.

Councillor Angelo Marignani refers to the licensing fees for taxis and asks it is the same fee for medical transport operators. Craig Robertson responds that the city does not licence medical transport operators specifically. However, there are some vehicles that are licensed that provide livery services, meaning prearranged contracts that are made with individuals for transportation services. Craig Robertson indicates that licence fees for taxicab vehicles are higher than livery vehicle fees.

Moved by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino, THAT the Windsor Licensing Commission **RECEIVE** the report of the Deputy Licence Commissioner entitled "Response to Request to Eliminate Age Limits for Wheelchair Accessible Taxicabs and Reduced Licence Fees; and,

THAT the Windsor Licensing Commission **RECOMMEND** to City Council, an increase of the current ten-year vehicle age limit to a twelve-year vehicle age limit for licensed Wheelchair Accessible Taxicabs; and,

THAT the Windsor Licensing Commission **RECOMMEND** to City Council, that Public Vehicle By-law 150-2018 **BE AMENDED** to reflect the changes made to the maximum age limit for licensed Wheelchair Accessible Taxicabs; and further,

THAT upon City Council's decision, all late fees incurred for this year would **BE WAIVED** upon registration of any remaining wheelchair accessible taxicabs that are owned and operated by Canadian Checker Cab.

Carried.

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

Moved by Councillor Angelo Marignani, seconded by Councillor Renaldo Agostino, That the report of the Deputy Licence Commissioner dated August 28, 2024, 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 10:15 o'clock a.m.