

Windsor Licensing Commission

Meeting held July 27, 2022

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. via Zoom video conference, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Gary Kaschak
Jayme Lesperance

Regrets received from:

Harpreet Virk

Guest in attendance:

Sean Tannous, Solicitor regarding Item 7(a)

Also present are the following resource personnel:

Steve Vlachodimos, City Clerk & Licence Commissioner
Craig Robertson, Deputy Licence Commissioner & Acting Senior Manager of
Licensing & Enforcement
Brian Nagata, Planner II, Development Review
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:41 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. Minutes

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the minutes of the Windsor Licensing Commission of its meeting held April 27, 2022 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Request for Deferrals, Referrals or Withdrawals

None.

5. Communications

None.

6. Licence Transfers

None.

7. Applications/Hearings

(a) Mr. Vito Maggio – Hospitality Food/Liquor Ancillary

Mr. Sean Tannous, Solicitor is present on behalf of Mr. Vito Maggio, applicant.

C. Robertson provides the following background information relating to the placement of conditions on the HospitalityFood/Liquor Ancillary licence:

- Licensing records indicate that Olde Walkerville Pizzeria Ind. O/A Olde Walkerville Vito's Pizzeria located at 1731 Wyandotte Street East is currently in good standing, holding a valid municipal licence as a Hospitality Food/Liquor Ancillary establishment.
- This establishment has been in good standing since 2008.
- City Council at its meeting held May 30, 2022 approved a request by the licensee to amend City of Windsor Zoning By-law 8600 to add a site specific provision to allow a permanent patio to the rear of an existing legal non-conforming business office located at 642 Windermere, Windsor which would be exclusive to the restaurant Vito's Pizzeria, located at 1731 Wyandotte Street East.
- Due to concerns raised by local residents, City Council requested that the Windsor Licensing Commission give consideration to the imposition of the following conditions on the licensee's hospitality business licence:
- That the patio shall comply with the City of Windsor's Lighting Intensity Standards Study.
- The hours of operation for the patio shall be limited to between 7:00 am and 11:00 p.m. daily; and

- Notwithstanding Section 2 of Table 3-1 to the City's Emission of Sounds By-law 6716, the sound from or created by any radio, tape player, television, public address system, sound equipment, loud speaker, or any musical or sound producing instrument of whatever kind shall be prohibited on the patio.

In response to a question asked by the Chair regarding if the recommendation is based on the feedback from the residents in that area, C. Robertson responds that the recommendation is what City Council decided based on the outcome of the Environment, Transportation and Public Safety Standing Committee and area residents.

Councillor Kaschak advises that a wholesome discussion was held at the May 30, 2022 Council meeting and adds that this is a fair way moving forward for the residents nearby and also for the business that has been in good standing for many years.

Sean Tannous, Solicitor on behalf of Vito Maggio states that Mr. Maggio consents to all of the conditions and recommendations.

Moved by Councillor Kaschak, seconded by Councillor Costante,
WLC 4/2022 That the following conditions **BE PLACED** on the current hospitality business licence (22 129302) and every renewal thereafter associated with Olde Walkerville Pizzeria Inc. O/A Olde Walkerville Vito's Pizzeria located at 1731 Wyandotte Street East, Windsor Ontario:

- That the licensee's patio located at 642 Windermere Road, Windsor, Ontario shall comply with the City of Windsor Lighting Intensity Standards Study;
- That the hours of operation for the licensee's patio located at 642 Windermere Road, Windsor, Ontario shall be limited to between 7:00 am and 11:00 pm daily;
- That the sound from or created by any radio, tape player, television, public address system, sound equipment, loud speaker, or any musical or sound producing instrument of whatever kind shall be prohibited on the licensee's patio located at 642 Windermere Road, Windsor, Ontario, AND FURTHER,
- Should it be determined by the Licence Commissioner that the licensee has breached these conditions, that the establishment's business licence associated with Olde Walkerville Pizzeria Inc. O/A Walkerville Vito's Pizzeria located at 1731 Wyandotte Street East, Windsor, Ontario **BE SUSPENDED** at the discretion of the Licence Commissioner until the next scheduled meeting of the Windsor Licence Commission.

Carried.

8. Reports and Administrative Matters

(a) Expired Application(s) for Business Licence

Moved by Councillor Costante, seconded by J. Lesperance,
That the report of the Deputy Licence Commissioner dated July 8, 2022 entitled
“Expired Application(s) for Business Licence” **BE RECEIVED.**
Carried.

9. In Camera

No In Camera session is held.

10. Date of Next Meeting

There being no further business, the meeting is adjourned at 9:51 o'clock a.m.

CHAIR

COMMITTEE COORDINATOR