

**REPORT NO. 3** of the  
**PUBLIC SAFETY STANDING COMMITTEE**  
of its meeting held May 18, 2011

**Present:**                                **Councillor Jones, Chair**  
    **Councillor Dilkens**  
    **Councillor Gignac**  
    **Councillor Maghnieh**

**Absent:**                                 **Councillor Payne**

**Referencing:**                        **REPORT NO. 145** of the  
    **WINDSOR LICENSING COMMISSION**  
    of its meeting held March 23, 2011

That the following recommendation of the Public Safety Standing Committee  
**BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Dilkens,  
That Section 27 (3) of Schedule M2 to Business Licensing Bylaw 395-2004 **BE**  
**AMENDED** to remove subsection (1) effectively eliminating the vendor location at the  
Southeast corner of the Tuscarora and Ouellette.  
Carried.

**Clerk's Note:** The report from the Supervisor of Licensing/Deputy Licence Commissioner  
dated March 8, 2011 entitled "Amendment to Mobile Vendors of Food Schedule M2 in bylaw 395-  
2004" is **attached** as background information.

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# PUBLIC SAFETY STANDING COMMITTEE

**REPORT NO. 145** of the  
**WINDSOR LICENSING COMMISSION**  
of its meeting held March 23, 2011

**Present:** Councillor Ron Jones, Chairperson  
Councillor Alan Halberstadt  
Jack Fathers

That the following recommendations of the Windsor Licensing Commission **BE APPROVED:**

That Section 27 (3) of Schedule M2 to Business Licensing Bylaw 395-2004 **BE AMENDED** to remove subsection (1) effectively eliminating the vendor location at the Southeast corner of the Tuscarora and Ouellette.

**NOTE:** The report of the Supervisor of Licensing/Deputy Licence Commissioner dated March 8, 2011 entitled "Amendment to Mobile Vendors of Food Schedule M2 in bylaw 395-2004" is attached.

**CHAIRPERSON**

**SECRETARY**

<b>Notification</b>		
<b>Windsor Licensing Commission</b>		
<b>Rochelle Emery-Lockett</b>	Downtown Windsor Business Improvement Association	<a href="mailto:rochell_downtownwindsor.ca">rochell_downtownwindsor.ca</a>



THE CORPORATION OF THE CITY OF WINDSOR

MISSION STATEMENT:

"The City of Windsor, with the involvement of its citizens, will deliver efficient and responsive municipal services, and will mobilize innovative community partnerships"

TO: Windsor Licensing Commission

SUBJECT: Amendment to Mobile Vendors of Food Schedule M2 in bylaw 395-2004

1. **RECOMMENDATION:** City Wide:  Ward(s):

THAT Section 27 (3) of Schedule M2 to Business Licensing Bylaw 395°2004 BE AMENDED to remove subsection (1) effectively eliminating the vendor location at the Southeast corner of Tuscarora and Ouellette.

2. **EXECUTIVE SUMMARY:** N/A

3. **BACKGROUND:**

Section 27 of Schedule M2 to bylaw 395-2004 states in part:

"27. No licensee shall operate or permit the operation of a vehicle in a prohibited area or on the sidewalk of the following areas save and except a Class 1 type vehicle:

(3) City Centre Business Improvement Area unless approval is obtained from a representative of the: Public Works Department to operate at one of the following locations, subject to the licensee paying a fee for the location as set out in Schedule 1 of this by-law and entering into an agreement containing the terms of the licence and the payment of a licence fee for the use of the licensed area:

(1) Southeast corner of Tuscarora and Ouellette Avenue."

The vendor operating at the southeast corner of Tuscarora and Ouellette was injured and decided not to operate in 2010. However, as a courtesy and based on his operational history, the Windsor Licensing Commission decided to hold his spot for him, should he decide to return in 2011. A

recommendation was brought to the Windsor Licensing Commission and the decision stated that should he not renew his Mobile Vending Licence by January 31, 2011, the location would be offered by way of lottery to any Class 2 Mobile Vendor currently licensed in the City of Windsor.

The vendor did not renew his licence for 2011, and we have done our due diligence by sending letters to offer the location to our licensed Class 2 vendors. We did not receive any responses by the deadline provided in the letter and now we are left with the question of what we should do with this location.

#### **4. DISCUSSION:**

This particular location does not have the traffic that was formerly present as a result of proximity to five busy nightclubs. Four of the former entertainment lounges have closed and the area does not have the patrons it did many years ago. As well, downtown Windsor has a number of food establishments that are open late into the evenings that provide opportunities to obtain food in the entertainment district. After consultation with the DWBIA, administration recommends that the vending location be eliminated from Section 27 (3) of Schedule M2 to Business Licensing Bylaw 395-2004.

#### **5. FINANCIAL MATTERS:**

The mobile vendor paid \$1000.00 annually to operate at this location. Therefore licensing would not be collecting this fee in the future if the location were eliminated. However, it also means that the Building Department - Compliance & Enforcement Unit will not incur any costs with regard to enforcement on this vendor/vending location and the Office of the City Clerk - Licensing will not incur any expenses in processing applications or issuing licences at this location.

#### **6. CONSULTATIONS:**

Chris Edwards - Downtown Windsor-Business Improvement Association

#### **7. CONCLUSION:**

Administration recommends removing the vending location from the bylaw.

Michael Chantler  
Supervisor of Licensing/Deputy Licence  
Commissioner

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City Clerk & Licence Commissioner

ia  
Manager of Policy, Gaming & Licensing &  
Deputy Licence Commissioner

**APPENDICES:**

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<b>NOTIFICATION :</b>				
Name	Address	Email Address	Telenhone	FAX
Chris Edwards - DWBIA		cedwards@downtownwindsor.ca		

