

MOTION

Liquor Licence Application- Metro Bar, 296 Richmond Street West

Moved by: Councillor Vaughan _____

SUMMARY:

At its meeting of September 25, 26 and 27, 2006, City Council authorized the City Solicitor to oppose the application for a liquor licence for Metro Bar Inc., 296 Richmond Street West (the “premises”). The existing liquor licence was revoked by the Board of the Alcohol and Gaming Commission on March 24, 2006. The Board’s order was suspended because the Licensee was granted a stay, with conditions, by the courts which means that the existing liquor licence is still in effect. The Licensee is in the process of selling the premises to a purchaser, 1704543 Ontario Inc. (the “Applicant”), which has made an application for a new liquor licence.

There have been meetings and discussions with the Applicant and its lawyer to discuss concerns about public safety with establishments in that area which sell alcohol. As a result of those discussions, and with input and advice from Legal Services staff, the Applicant has agreed to have certain conditions attached to its liquor licence which will enhance public safety for residents as well as the patrons and employees of the premises.

The proposed conditions are satisfactory to the King-Spadina Residents Association, the Ward Councillor and the Applicant. Once attached to a liquor licence, all conditions must be complied with by the licensee.

RECOMMENDATIONS:

1. City Council supports the application for a liquor licence for Metro Bar, 296 Richmond Street West (the “premises”) provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:
 - a. At all times while the premises are open to patrons and for at least one hour after the premises are closed to patrons, the premises shall be staffed with at least one visibly identifiable and bonded security guard for every 50 patrons on the premises.
 - b. All security guards shall wear identification or clothing by which they can readily be identified as security guards.
 - c. At all times while the premises are open the Licensee shall ensure that there are clearly visible and functioning security cameras at every exit and entrance and in every public

space.

- d. The Licensee shall retain all digital records from the security cameras for a minimum of 90 days.
- e. The Licensee shall provide the name and contact information of the Head of Security and the General Manager of the premises to the City of Toronto Police, 52 Division, Plain Clothes Unit.
- f. One of the persons named in clause (e) shall be on the premises at all times when the premises are open to patrons.
- g. The Licensee shall ensure that every entrance to the premises is staffed with at least one security guard equipped with a metal detector.
- h. The Licensee shall submit a Noise Control Plan to the City of Toronto which shall include the maximum levels for music within the premises, and ensure that the windows are closed during all hours of operation.
- i. The Licensee shall use and allow only a single queue, with a maximum width of 1 metre, for people waiting to enter the premises. The queue will extend east along Richmond Street from the entrance of the premises. No queuing will be allowed on the west side of the entrance. A barrier or rope separator shall be used to clearly distinguish the area to be used for queuing from the remainder of the sidewalk which shall be maintained free and clear for passing pedestrians. The licensee shall ensure that during all hours of operation, the queuing area is monitored by clearly visible and functioning security cameras. The licensee shall further maintain a minimum of four clearly identifiable security personnel outside the premises for the purposes of providing security at the door, actively maintaining an orderly queue, and actively ensuring that the remainder of the sidewalk along the full frontage of the building and along the full length of the queue is not encumbered by people queuing or conversing with people in the queue.
- j. The Licensee shall submit a Litter Control Plan to the City of Toronto which shall ensure that all areas immediately adjacent to the premises are clean and free of litter, refuse and other debris and shall install and maintain containers for the deposit of litter, refuse and other debris.
- k. The Licensee shall operate in accordance with the Noise, Crowd and Litter Control Plans at all times.
- l. All managers, employees and security staff working at the premises must successfully complete a Commission approved server training course within ninety (90) days of the start of employment at the premises.
- m. The Licensee shall ensure that high intensity lighting is mounted across the full width of the front of the premises so that the sidewalk is fully lighted and that these lights are fully operational and turned on from the time of opening until daybreak the following day. The licensee shall also ensure that high-intensity lighting is mounted across the full width of the back of the premises using directional light fixtures that fully light the laneway

while not shining into residences above stores on Queen Street. The Licensee shall ensure that these lights are fully operational and turned on from the time of opening until daybreak the following day.

2. Subject to the approval by the Registrar or Board, as the case may be, of the Alcohol and Gaming Commission, the conditions as set out in paragraph 1 above, be attached to any liquor licence issued to the premises and the applicant, 1704543 Ontario Inc., shall agree that prior to the issuance of a liquor licence, it shall file with the Registrar written consent to the said conditions being attached to any liquor licence for the premises.
3. The City Solicitor be authorized to make such stylistic and technical changes to the said conditions as may be required and further be directed to take all necessary actions so as to give effect to this Motion.”

March 27, 2007