

Liquor Licence Application – Las Brisas Del Mar, 24 Rivalda Road

SUMMARY:

An application for a new liquor licence has been made to the Alcohol and Gaming Commission of Ontario (“AGCO”) for an establishment to be known as Brisas Del Mar located at 24 Rivalda Road. This application is similar to an application made in early 2008, and the City and the then two applicants reached an agreement on conditions to attach to the licence. Item EY15.43, adopted by City Council April 28 and 29, 2008, provided a recommendation to advise the AGCO of Council’s conditional support for the new liquor with the agreed upon conditions. The 2008 application was subsequently withdrawn and the new application has been made by one on the two previous applicants.

There has been a licensed establishment located at this premises in the past. For the current application the indoor seating capacity for the premises is being increased from 253 to 269, and the outdoor seating capacity is being reduced from 30 to 14.

The current applicant has agreed to have the same conditions previously proposed by Council attached to the liquor licence. One additional condition pertaining to installation of a “walk-through” metal detector, item j) below, is being requested by the City. The applicant is opposed to having this condition attached to the licence. It is the applicant’s intent to operate the establishment as a restaurant and lounge rather than a night club. The applicant is agreeable to a condition requiring the use of a hand-held metal detector at the front entrance of the establishment to screen patrons before entering the premises at certain hours of the day.

The purpose of this Motion is to authorize the City Solicitor to advise the AGCO of City Council’s conditional support of a liquor licence at these premises provided that conditions, substantially in the form below, are attached to the licence.

RECOMMENDATIONS:

1. Council authorize the City Solicitor to advise the AGCO of Council’s conditional support for this application provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:

Conditions to be attached to Liquor Licence for
Las Brisas Del Mar, 24 Rivalda Road, Toronto

- a) The Licensed Premises shall close no later than 3:30 a.m. each day and no patrons will be allowed to enter or remain on the Licensed Premises after 4:00 a.m.

- b) The Premises shall not be used for an “after hours club”.
 - c) On Thursday, Friday and Saturday evenings after 8 p.m. while the Licensed Premises are open to patrons and for at least one hour after the Licensed Premises are closed to patrons, the Licensed Premises shall be staffed with at least one visibly identifiable security guard for every 100 patrons in the Licensed Premises.
 - d) All security guards shall wear identification or clothing by which they can readily be identified as security guards.
 - e) The Licensee, acting reasonably, shall not admit anyone who wears gang paraphernalia of any kind including gang colours, bandanas, insignia, emblems or clothing.
 - f) All managers, employees and security staff working at the Licensed Premises must successfully complete an AGCO-approved server training course within ninety (90) days of the start of employment at the Licensed Premises.
 - g) The Licensee, acting reasonably, shall not play, or permit to be played, music, whether live or recorded, that has lyrics that sanction, promote or glamourize guns, knives or violence against women and police officers.
 - h) The Licensee shall not play, or permit to be played, music, whether live or recorded, on the outdoor patio after 11:00 p.m.
 - i) The Licensee shall ensure that adequate soundproofing is installed so as to ensure that no resident is disturbed by noise emanating from the premises.
 - j) The Licensee shall install and maintain a “walk-through” metal detector at the front entrance to the Licensed Premises and every patron shall walk through the said metal detector prior to entering the Licensed Premises. The metal detector shall be “state-of-the-art” equipment and in good working order and similar to the metal detectors used at airports.
2. The City Solicitor be authorized to make modifications to the above conditions if deemed necessary and satisfactory to the City Solicitor.
 3. The City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect to this Motion.



Giorgio Panzolini