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**City Council**

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**Motion without Notice**

MM38.24	ACTION			Ward: 11
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**AGCO Matter – 1788 Weston Road – Twinkle Delight Restaurant and Bar - by Councillor Nunziata, seconded by Councillor Palacio**

- Notice of this Motion has not been given.*
- A two-thirds vote is required to waive notice.*
- This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*
- This Motion has been deemed urgent by the Chair.*

**Recommendations**

Councillor Nunziata, seconded by Councillor Palacio, recommends that:

1. Toronto City Council direct the City Clerk to advise the Registrar of the Alcohol Gaming Commission of Ontario that:
  - a. Toronto City Council supports amending Condition number 8 of Schedule "A" attached to the July 7, 2008 decision of the AGCO regarding 1788 Weston Road, such that it reads:

"The Licensee shall cease the sale and service of alcohol every night at 2:00 a.m. and shall remove all evidence of service by 2:45 a.m."
  - b. The City of Toronto requests that all other conditions listed in Schedule "A" stand.

**Summary**

On July 7, 2008, the Alcohol and Gaming Commission of Ontario (AGCO) issued a decision pertaining to a liquor license application for 1788 Weston Road, the Twinkle Delight Restaurant and Bar (the "Establishment"). A copy of that decision is attached to this Motion. The conditions set out in Schedule "A" of the attached A.G.C.O. Decision were adopted by City Council on June 23, 2008 (Item MM22.21) and were supported by both the City and the applicant.

The conditions were requested by the Ward Councillor due to a history of criminal behaviour at other establishments located at this address and other establishments in the immediate area.

Over the past year, the proprietor of the Establishment has operated and served alcohol responsibly. There have not been any complaints from local residents, nor has any disorderly conduct and criminal behaviour been reported to police. The Restaurant is located in one of the City of Toronto's designated Priority Neighbourhoods along a business strip that is experiencing multiple vacancies and financial hardship.

The Licencee and operator of the Establishment is now requesting an amendment to Condition number 8 so that serving hours at the Establishment can be extended from 12:00 a.m. to 2:00 a.m. For reasons outlined above, the Ward Councillor fully supports the requested extension.

This Motion should be deemed urgent due to the financial impact of the existing conditions on the Establishment.

(Submitted to City Council on August 5, 2009 as MM38.24)

### **Background Information**

Member Motion MM38.24

<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-22692.pdf>

Letter from Lena Campbell and Decision of the AGCO

<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-22679.pdf>