
City Council

Motion without Notice

MM40.9	ACTION			Ward: 32
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**Liquor Licence- 1943 Queen Street East- The Gull and Firkin - by
Councillor Bussin, seconded by Councillor Davis**

- This Motion has been deemed urgent by the Chair.*
- Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Bussin, seconded by Councillor Davis, recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (the "AGCO") that the liquor licence for 1943 Queen Street East - The Gull and Firkin Restaurant and Bar (the "Establishment") is not in the public interest having regard to the needs and wishes of the residents. Accordingly, the liquor licence should be reviewed and the following conditions, in the form substantially set out below, should be attached to the liquor licence:
 - a. The sale and service of alcohol shall cease on the licensed patio at 11 p.m.from Sunday - Thursday and at 2 a.m.on Friday and Saturday and all signs of sale and service shall be cleared by those times. No patrons will be allowed to remain on the licensed patio after the sale and service of alcohol has ceased.
 - b. There shall be no speakers, televisions, amplified or live music whatsoever on the licensed patio at any time.
 - c. Any doors between the licensed patio and the indoor portion of the establishment shall be kept closed at all times, except to allow for ingress and egress of patrons and staff.
 - d. Pending clearance by appropriate City divisions, the licensee shall construct a new entranceway for the Establishment which shall be separate from the entranceway used by residents of the residential condominium corporation located on the same site as the Establishment.
 - e. Before applying to change any of the conditions contained herein, the licensee shall provide written notice to the Ward Councillor.

2. City Council request the AGCO to provide the City with an opportunity to participate in any proceedings with respect to the Establishment.
3. City Council authorize the City Solicitor to attend all proceedings before the AGCO in this matter and to take all necessary actions so as to give effect to this Motion, including adding and deleting any of the conditions to be attached to the liquor licence for the Establishment, in consultation with the Ward Councillor.

Summary

This motion pertains to an existing licensed establishment at 1943 Queen Street East - The Gull and Firkin Restaurant and Bar (the "Establishment"). The Establishment has an outdoor licensed area which seats 51 people. At present, service of alcohol is permitted on the licensed patio daily until 2:00 a.m.

The Establishment is located on Queen Street East, in very close proximity to a residential area. There is a history of problems with licensed patios in the vicinity causing disturbances to nearby residents. A large number of complaints regarding the Establishment's licensed patio at have been made to the local Ward Councillor as well as to the Alcohol and Gaming Commission of Ontario (the "AGCO") and local police. Area residents have complained about noise and other disturbances emanating from the licensed patio throughout the spring, summer and fall seasons. In particular, the residents of the residential condominium corporation located on the same site as the Establishment have expressed concerns related to the licensed patio.

The liquor licence in its present form is not in the public interest having regard to the needs and wishes of the residents in the area. Accordingly, certain conditions, as set out below, addressing the concerns of the community with respect to the licensed patio are proposed to be attached to the licence.

This is an urgent matter as the AGCO is currently dealing with complaints related to the Establishment and is seeking Council's position on this matter.

(Submitted to City Council on September 30, 2009 as MM40.9)