

## MOTION

### **Liquor Licence- 22 Duncan Street- Gumboots and Neckerchiefs Nightclub (formerly Escape Nightclub)**

Moved by: **Councillor Vaughan** \_\_\_\_\_

#### **SUMMARY:**

Toronto Pick Operations Ltd. has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for the premises at 22 Duncan Street to operate under the name of Gumboots and Neckerchiefs (“Premises”). The Premises formerly operated as Escape Nightclub. The applicant is seeking a liquor licence for a capacity of 425 for the main floor north and west, 439 for the main floor south, 463 for the basement and 36 for the patio.

There is a history of *Liquor Licence Act* violations at this address when it operated as Escape Nightclub. This includes a liquor licence suspension in 2007 for exceeding lawful capacity and permitting use of narcotics, and again in 2008 for serving minors and exceeding lawful capacity.

The Premises is located in the City’s entertainment district among a large concentration of night clubs. Area residents are concerned that any licensed establishment which has a history of problems for past licensees can only lead to an increase in problems in the future. Their concerns relate in particular to noise, litter, safety and security, and other disturbances to residents in the area.

This application for a liquor licence is not in the public interest unless certain conditions, addressing the concerns of the community, are attached to the licence. Given the large capacity being sought for the Premises, under no circumstance should it be granted a liquor sales licence without conditions attached.

#### **RECOMMENDATIONS:**

1. That City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (“AGCO”) that the liquor licence application for Gumboots and Neckerchiefs (former Escape Nightclub), 22 Duncan Street (“Premises”), is not in the public interest having regard to the needs and wishes of the residents, and that the Registrar should issue a Proposal to Review the liquor licence application.
2. That City Council request the AGCO to provide the City with an opportunity to participate in any proceedings with respect to the Premises.
3. That 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, including adding and deleting conditions to any liquor licence issued for the Premises, in

consultation with the Ward Councillor, which address issues including, but not limited to, noise, safety, security personnel, security cameras, crowd control, signage, lighting and litter.

February 9, 2009