

MOTION**Liquor Licence – Gusto – 101 Portland Street****Moved by: Councillor Vaughan** _____**SUMMARY:**

Gusto at 101 Inc. has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) on August 31st, 2009 for the premises located at 101 Portland Street under the name of “Gusto” (“Premises”). The site is currently under construction as a new restaurant with a ground level outdoor patio as well as a rooftop patio. The applicant is seeking a liquor licence for a capacity of 95 for the main floor restaurant, 38 for the outside patio (west section) and 58 for the rooftop patio.

The Premises is located in the City’s downtown core amongst a concentrated mix of retail, restaurant, office as well as residential uses. Area residents are concerned that the issuance of the liquor licence as requested will result in increased problems in the area related to noise, litter, safety and security, signage, lighting and other disturbances to residents living in the area, in particular as a result of the outdoor patios.

This application for a liquor licence is not in the public interest unless certain conditions which address the concerns of the community are attached to the licence, particularly with regard to the outdoor patios.

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 the premises at 101 Portland, to operate under the name of “Gusto” (“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 to 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.