

Councillor Adam Vaughan 魏德方

Toronto City Council
Trinity-Spadina, Ward 20

April 21, 2011

Toronto and East York Community Council
100 Queen St W
Toronto M5H 2N2

**Re: Liquor Licence - 77 Peter Street – Studio 77 (formerly Hotel Boutique Lounge)
Licence No. 807401**

Dear Chair and Members,

1809304 Ontario Limited has submitted an application for a new liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a premises at 77 Peter Street operating under the name Studio 77 (the “Premises”). The Premises formerly operated as Hotel Boutique Lounge. The applicant is seeking a liquor licence for a capacity of 270 patrons. The Applicant previously applied for a liquor licence for the Premises in April, 2010, for a capacity of 211 patrons. The 2010 application was abandoned.

Since 2003, spanning 3 separate licensees operating as Hotel Boutique Lounge, there have been several *Liquor Licence Act* violations resulting in liquor licence suspensions at the Premises. This includes a 22 day suspension of the licence in July, 2003; a 21 day suspension in June, 2004; a 7 day suspension in December, 2004; a 60 day suspension in May, 2006, and; a 21 day suspension in October, 2007. On June 18, 2009, the liquor licence for the Premises was revoked by the Registrar of Alcohol and Gaming pending a hearing for a Notice of Proposal to revoke the licence. An undercover operation of Toronto Police Services observed the sale of cocaine and marijuana in the Premises and after hours liquor sales, and that the previous licensee either knew or ought to have known that these activities were occurring at the Premises. A hearing never took place and as a result the licence has remained revoked since the Registrar's Order.

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 problems in the future. Their concerns relate in particular to noise, litter, safety and security, drug use, 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 and the history of suspensions and the revocation of the licence, under no circumstance should a liquor sales licence be granted at the Premises without appropriate conditions attached.

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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 Studio 77, 77 Peter 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.

Sincerely,

Adam Vaughan
City Councillor, Ward 20 – Trinity-Spadina

