MOTION WITHOUT NOTICE

Liquor Licence Application – Just Jenny’s Sports Bar, 2634 Danforth Avenue

Moved by: Councillor Davis
Seconded by: Councillor Heaps

SUMMARY:

City Council on January 29 and 30, 2008, adopted Motion16.19, moved by Councillor Davis, seconded by Councillor Fletcher, which directed the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (“AGCO”) that the issuance of a liquor licence for Just Jenny’s Sports Bar, 2634 Danforth Avenue, is not in the public interest and that the Registrar should issue a Notice of Proposal to Review the liquor licence application. Motion 16.19 also directed the City Solicitor to attend all proceedings before the AGCO in this matter, and directed that all necessary actions be taken so as to give effect to the Motion.

The City Solicitor has been in contact with the applicant and it appears likely that the applicant may be willing to agree to conditions attached to the liquor licence that would help to alleviate the concerns regarding a new liquor licence at these premises. Accordingly, the purpose of this Motion is to authorize the City Solicitor to advise the AGCO of City Council’s conditional support of a liquor licence at these premises, provided that conditions, substantially in the form below, are attached to the licence.

RECOMMENDATIONS:

1. That City Council authorize the City Solicitor to advise the AGCO of Council’s conditional support for this new application, provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:

   Conditions for Liquor Licence at 2634 Danforth Avenue – Just Jenny’s Sport’s Bar:

   a. All managers and employees who work at the licensed premises must successfully complete an AGCO-approved server training course, within thirty days of the attachment of these conditions to the liquor licence of the premises or at the start of employment at the licensed premises.

   b. The establishment shall comply at all times with the City’s Noise By-law.
c. The Licensee shall install and maintain high intensity exterior lighting along the Danforth Avenue flankage and in the alley at the rear of the premises, so that the exterior is fully lighted without shining into residences, and ensure that these lights are at all times fully operational and turned on from dusk until daybreak the following day.

d. The Licensee shall provide litter pick up on the property, in the front and back, on a regular basis and shall keep the exterior of the licensed premises clean and clear of all garbage and debris.

e. At all times while the premises are open for business, the Licensee shall ensure that there are clearly visible and functioning security cameras located inside the premises, as well as at the front and back door, so as to view, monitor and record each entrance and exit of the premises.

f. The Licensee shall store and retain the video and digital records from each security camera for at least 30 days, and make the recording available immediately to Officers of the Toronto Police Service or Liquor Inspectors upon request.

g. The Licensee shall post, at the entrance to the premises, a sign stating “Premises Under Video Surveillance”.

h. The Licensee shall post, at the entrance to the premises, a sign stating that “Management Reserves the Right to Refuse Entry or Service”.

i. The Licensee shall ensure that all windows on the premises are kept clear and clean, so that it is possible to see directly into the premises from the street at all times.

j. The rear door of the establishment shall only be used as an emergency exit and for garbage/recycling removal and shall otherwise always be kept closed.

k. The gate on the fence of the outside enclosed area at the rear of the premises shall be kept closed and locked at all times, other than emergencies.

l. The outside enclosed area at the rear of the premises shall not be used as a smoking area by either customers or employees of the licensed premises.

m. There shall be no application to licence any outdoor space on the premises.

n. The Licensee shall post a sign at the entrance to the premises stating that “Washrooms are for Patron Use Only”.

o. There shall be no electronic gambling machines or devices on the premises.

p. The Licensee shall provide the local City Councillor’s office with a contact phone number to deal with complaints and ensure that there is someone available to
answer the phone.

q. There shall be no application for a transfer of the liquor licence, without prior written notice by the Licensee to the local City Councillor’s office.

r. No application shall be made to change or remove any of these conditions from the liquor licence or to expand the capacity of the licensed premises without prior written notice by the Licensee to the local City Councillor’s office.

2. That City Council authorize the City Solicitor to make modifications to the above conditions if deemed necessary and satisfactory to the City Solicitor.

March 3, 2008

According to Chapter 27, Council Procedures:

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<tr>
<th>Fiscal Impact Statement provided</th>
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<tbody>
<tr>
<td>Should have Fiscal Impact Statement prior to debate</td>
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<td>Requires two-thirds to waive requirement if Council wishes to debate</td>
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<tr>
<td>Is before Council for debate</td>
<td>(v)</td>
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<td>Chair agrees that the Motion Recommendations are Urgent -</td>
<td>(v)</td>
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* Deputy City Manager and Chief Financial Officer to advise.