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**City Council**

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**Notice of Motion**

MM10.2	ACTION			Ward: 14
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**Liquor Licence - 1500 Queen Street West – Himalayan Café Licence No. 815006 - by Councillor Gord Perks, seconded by Councillor Adam Vaughan**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two thirds vote is required to waive referral.*

*\*This Motion relates to an Alcohol and Gaming Commission of Ontario Hearing and has been deemed urgent.*

**Recommendations**

Councillor Gord Perks, seconded by Councillor Adam Vaughan, recommends that:

1. 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 Himalayan Café, 1500 Queen Street West (the “Premises”), is not in the public interest having regard to the needs and wishes of the residents, unless appropriate conditions are placed on the licence, and that the Registrar should issue a Proposal to Review the liquor licence application.
2. City Council request the AGCO to provide the City with an opportunity to participate in any proceedings with respect to the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the AGCO and the Licence Appeals Tribunal in this matter and direct the City Solicitor 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, litter and safety.

**Summary**

An application has been submitted for a new liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a premises at 1500 Queen Street West operating under the name Himalayan Café (the “Premises”). The applicant is seeking a liquor licence for a capacity of 83 patrons. The deadline for objections to the liquor licence application was June 12, 2011.

The Premises is located in Parkdale, and there are residential units located in close proximity. There are concerns from community members that current establishments with liquor licences in the Parkdale community impact area residents. Impacts relate in particular to noise, litter, safety and other disturbances. It is believed that if a liquor licence is issued for the Premises similar impacts will occur. If conditions are placed on the licence, these impacts may be mitigated.

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. Under no circumstance should a liquor sales licence be granted at the Premises without appropriate conditions attached.

(Submitted to City Council on July 12 and 13, 2011 as MM10.2)