

Councillor Adam Vaughan 魏德方

Toronto City Council
Trinity-Spadina, Ward 20

October 31, 2011

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

Dear Chair and Members,

NEW BUSINESS: Liquor Licence Application, 621 King St W – Licence # 10925**SUMMARY:**

2297223 Ontario Limited has submitted an application for a new liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for proposed premises at 621 King Street West (the “Premises”). The applicant is seeking a liquor licence for several portions of a proposed mixed-use building that includes a capacity of 163 patrons for the mezzanine floor, 360 patrons for the lower level, 228 patrons for the main level, 360 for the 2nd level, 118 patrons for the indoor portion of the rooftop, and 126 patrons for the outdoor portion of the rooftop, for a total licence capacity of 1355.

The Premises have not been constructed yet, nor has the owner of the land received planning approvals to construct the proposed mixed-use building that will house the Premises. No above grade building permits have been issued for the property.

On February 16, 2011, the Ontario Municipal Board (OMB) approved variances to the zoning by-law to permit the construction of a mixed-use building that contained a 12-storey tower on King Street West and an 11-storey tower on Stewart Street. The City successfully sought leave to appeal the decision of the OMB to the Divisional Court, and the matter was heard on October 27, 2011. No decision has been issued by the Court. On July 21, 2011, 621 King Developments Ltd. submitted to the City an application to amend the City’s zoning by-law to permit a mixed-use building with a 15-storey tower on King Street West and an 11-storey tower on Stewart Street. Council has not made a decision on this application.

Until such time that approvals have been obtained for the proposed mixed-use building that will house the Premises, building permits have been issued, and there is certainty as to what the configuration of the mixed-use building will be, an application for a liquor licence for the Premises is premature. If approvals for the mixed-use building are obtained, the application for a liquor licence at the Premises is not in the public interest unless certain conditions, addressing the concerns of the community, are attached to the licence. The Premises is proposed to be located in a building containing primarily residential units and will abut other residential properties. Therefore, impacts associated with proposed Premises may negatively affect current and future residents in the area. 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 621 King Street West (“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 Licence Appeal Tribunal 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.

Thank you for your consideration.

Sincerely,

Adam Vaughan
City Councillor, Ward 20 – Trinity-Spadina

