TORONTO **Agenda Item** Final - New

City Council

MM23.30	ACTION			Ward:30

Liquor Licence Application - 955 Gerrard Street East, Maple Leaf Tavern - Lic. No. 92092 - Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis

**** This Motion has been deemed urgent by the Chair.***
**** This Motion is not subject to a vote to waive referral.***
**** This Motion has been added to the agenda and is before Council for debate.***

Recommendations

Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis, recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario that the liquor licence application for additional outdoor capacity for 955 Gerrard Street East, operating as Maple Leaf Tavern ("Premises"), is not in the public interest having regard to the needs and wishes of the residents and that he should issue a Proposal to Refuse the application. The proposed location for the outdoor patio will be located on the west side of the Premises, which would directly abut the main entrance to the Matty Eckler Community Recreation Centre ("Centre"). Many children attend the Centre during the day and evening for various programs and activities and would enter and leave the Centre by this entrance. It is not acceptable that a large outdoor patio, which would run the length of the walkway into the Centre, be located immediately beside the walkway into the Centre's main entrance. Other concerns would be the safety of the children as well as other members of the public using the Centre, adequate security, lighting, noise, litter and disturbances to persons using the Centre as well as residents in the area.

2. City Council request the Licence Appeal Tribunal ("LAT") to provide the City with an opportunity to be made a party to any proceedings with respect to the Premises.

3 City Council authorize the City Solicitor to attend all proceedings before LAT in this matter and be authorized to take all necessary action so as to give effect to this Motion, including adding conditions to any liquor licence, in consultation with the ward councillor, should a liquor licence be issued for the Premises.

Summary

2218814 Ontario Limited ("Licensee") has made an application to the Alcohol and Gaming Commission of Ontario ("AGCO") for additional outdoor capacity to its liquor licence for the premises located at 955 Gerrard Street East, operating as Maple Leaf Tavern ("Premises"). The application is for an outside patio with a capacity of 56 persons.

There are a number of serious concerns with this application. The proposed location for the outdoor patio will be located on the west side of the Premises, which would directly abut the main entrance to the Matty Eckler Community Recreation Centre ("Centre"). Many children attend the Centre during the day and evening for various programs and activities and would enter and leave the Centre by this entrance. It is not acceptable that a large outdoor patio, which would run the length of the walkway into the Centre, be located immediately beside the walkway into the Centre's main entrance. Other concerns would be the safety of the children as well as other members of the public using the Centre, adequate security, lighting, noise, litter and disturbances to persons using the Centre as well as residents in the area.

The Registrar of the AGCO should be requested to issue a Proposal to Refuse the liquor licence application as it is not in the public interest.

(Submitted to City Council on May 8 and 9, 2012 as MM23.30)

Background Information

Member Motion MM23.30