Member Motion

City Council

Motion without Notice

MM26.24	ACTION			Ward:19

Liquor Licence Application – Studio Bar – 824 Dundas Street West - by Councillor Mike Layton, seconded by Councillor Kristyn Wong-Tam

**** 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 Mike Layton, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario that the issuance of a liquor licence for Studio Bar, 824 Dundas Street West (the "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. City Council request the Licence Appeal Tribunal ("LAT") to provide the City of Toronto 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 LAT 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, safety, security personnel, security cameras, crowd control, signage, lighting and litter.

Summary

An application for a new liquor licence by Cake Boys Entertainment Ltd. has been made to the Alcohol and Gaming Commission of Ontario ("AGCO") for an establishment to be known as Studio Bar at 824 Dundas Street West (the "Premises"). The application is for an indoor capacity of 356 patrons. The Premises has previously operated as a restaurant called The Orchid Restaurant, and it is proposed that the Premises will operate as a concert hall and bar called Studio Bar.

On June 27, 2012 the Toronto and East York Committee of Adjustment approved on condition two minor variances to the zoning by-law required to permit a proposed restaurant use at the

Premises. One variance permits a small portion of the building located in a residential zone to be used for restaurant storage space while the second variance permits the operations of a restaurant with a gross floor area in excess of 400 metres squared. A condition attached to the approval requires the restaurant and storage areas to be constructed substantially in accordance with the plans dated June 27, 2012, filed with the Committee of Adjustment. The plans approved by the Committee of Adjustment do not reflect the use as a concert hall/bar.

The Premises is located immediately adjacent to a residential area. Neighbouring residents and the local Councillor's office are concerned that the operation of a licensed concert hall and bar with a capacity of 356 patrons will negatively impact neighbouring residents. Potential impacts relate to noise, safety, crowd control, litter, and other matters.

The issuance of a liquor licence for the Premises is not in the public interest having regard to the needs and wishes of the municipality in which the premises are located. At a minimum 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.

Urgent consideration is being requested as the AGCO deadline for objections to this application was September 6, 2012.

(Submitted to City Council on October 2 and 3, 2012, as MM26.25)