

Councillor Adam Vaughan 魏德方

Toronto City Council
Trinity-Spadina, Ward 20

October 30, 2012

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

Dear Chair and Members,

**Re: Liquor Licence – Application to Remove Conditions
Studio 77 (Formerly Hotel Boutique Lounge), 77 Peter St, Toronto
Licence Number 807401**

City Council, at its meeting on May 17, 2011, adopted Item TE6.64, a Resolution of Council declaring that the issuance of a liquor licence for Studio 77 at 77 Peter St (the “Premises”) was not in the public interest having regard for the needs and wishes of the residents unless suitable conditions were placed on the licence. The City and the Licensee agreed upon 16 conditions that were contained in a Consent Agreement executed by both parties, and the licence was issued with the 16 conditions attached.

On October 25, 2012, my office received notification from the Licensee stating that an application had been submitted to the Alcohol and Gaming Commission of Ontario to remove the following two conditions from the liquor licence:

5. The Licensee shall ensure that every entrance to the premises is staffed with at least one security person equipped with a fully operational metal detector. All persons, with no exceptions, shall be subject to a full search and metal detection scan upon entry into the premises.
6. All persons who re-enter the club from a smoking area or any other area that is publicly accessible at any time shall be subject to a full search and metal detection scan, with no exceptions.

The applicant proposes to replace Condition 5 with the following:

5. The Licensee shall ensure that every entrance to the premises is staffed with at least one security person equipped with a fully operational metal detector, to be used at the discretion of the security person.

The City objects to the removal of the conditions from the licence as a change in circumstances that would warrant their removal has not occurred at the Premises. The two conditions that the Licensee is applying to remove were placed on the licence for public safety reasons and to limit impacts on area residents that occur from a night club use.

.../2



Councillor Adam Vaughan 魏德方

Toronto City Council
Trinity-Spadina, Ward 20

.../2

These conditions were drafted after a shooting at a nightclub at 117 Peter Street on January 24, 2009, where the police investigation found that the gun had been brought onto the premises from the smoking area.

The Premises intends to continue to operate as a nightclub, and the removal of the conditions will increase the potential for public safety concerns. A change in circumstance has not occurred to permit the removal of the two conditions and it is not in the public interest having regard to the needs and wishes of the residents to have the conditions removed. The Licence Appeal Tribunal should issue a Proposal to Refuse the application.

RECOMMENDATIONS:

1. That City Council direct the City Clerk to advise the Licence Appeal Tribunal ("LAT") that the City of Toronto objects to the application to remove two conditions attached to the liquor licence for Studio 77, 77 Peter St (the "Premises"), as no change of circumstances has occurred at the Premises to warrant their removal, and that the LAT should issue a Proposal to Refuse the application.
2. City Council request the 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.

Thank you for your consideration.

Sincerely,

Adam Vaughan
City Councillor, Ward 20 – Trinity-Spadina

