

City Council

MM30.23	ACTION			Ward:18
---------	--------	--	--	---------

**Liquor Licence for Bivy - 1600 Dundas Street West - File No. 800600 -
by Councillor Ana Bailao, seconded by Councillor Michael Thompson**

** 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 Ana Bailão, seconded by Councillor Michael Thompson, 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 Bivy, 1600 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 with an opportunity to be made a party 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

1535614 Ontario Inc. has submitted an application for a new liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a premises at 1600 Dundas Street West operating under the name Bivy (the “Premises”). The applicant is seeking a liquor licence for an indoor capacity of 30 patrons.

The Premises is located in close proximity to residential properties. There is concern in the community that this new establishment will cause noise and other disturbances to residents in the area. If conditions are put in place, these concerns may be mitigated. As such, 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.

This Motion is urgent as the Licence Appeal Tribunal hearing on this matter may be held prior to the next City Council meeting.

(Submitted to City Council On February 20 and 21, 2013 as MM30.23)

Background Information (City Council)

Member Motion MM30.23