



Member Motion

City Council

Notice of Motion

MM32.5	ACTION			Ward:19
--------	--------	--	--	---------

Liquor Licence - 581 Markham Street - Victory Cafe - Licence No. 22060 - by Councillor Mike Layton, seconded by Councillor Mary Fragedakis

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to an Alcohol and Gaming Commission of Ontario Hearing and has been deemed urgent.*

Recommendations

Councillor Mike Layton, 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 (“AGCO”) that the liquor licence application for Victory Cafe, 581 Markham Street (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 refuse 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

2269928 Ontario Limited has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a premises at 581 Markham Street operating under the name Victory Cafe (the “Premises”). The application is for an increase to the existing patio's capacity from about 70 to about 110 persons.

The Premises is located in close proximity to residential properties. Noise from the Premises (and specifically the existing patio) frequently disturbs area residents, many of whom have

complained to the Ward Councillor's office. This application for an expanded liquor licence is not in the public interest and the City is requesting that the Registrar of the AGCO issue a Proposal to refuse the liquor licence application.

(Submitted to City Council on April 3 and 4, 2013 as MM32.5)

Background Information (City Council)

Member Motion MM32.5