

## City Council

### Notice of Motion

MM37.15	ACTION			Ward:19
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### **Objection to Liquor Licence - 922 Queen Street West - Carmen Cocina Espanola - Licence No. 809645 - by Councillor Mike Layton, seconded by Councillor Ana Bailão**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto 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 Ana Bailão, 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 922 Queen Street West, operating under the name Carmen Cocina Espanola (“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 action 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, litter, safety, lighting and other potential disturbances to residents in the area.

### **Summary**

Carmen Says Inc. has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for the premises at 922 Queen Street West, operating under the name Carmen Cocina Espanola (“Premises”). The application is for a licensed rear yard outdoor patio with a capacity of 30 persons

The Premises are located in close proximity to residential properties. Concerns have been raised by residents with respect to the impact of the outdoor patio on surrounding dwellings as

well as noise, litter, safety, lighting and other potential disturbances to residents in the area.

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. The Registrar of the AGCO should be requested to issue a Proposal to Review the liquor licence application.

The City needs to file its objection to the liquor licence application as soon as possible because there is a deadline and also to be able to participate in any hearing in this matter. It is urgent that Council consider this matter at this Council meeting.

(Submitted to City Council on July 16 and 17, 2013 as MM37.15 )

**Background Information (City Council)**

Member Motion MM37.15