

City Council

Notice of Motion

MM39.18	ACTION			Ward:19
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Liquor Licence - 782 King Street West - Cabal - Licence No. 815186 - by Councillor Mike Layton, seconded by Councillor Gord Perks

** 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 Gord Perks, recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (“AGCO”) that the application to expand the liquor licence to the outdoor area for Cabal, 782 King 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 that the Licence Appeal Tribunal (LAT) provide the City 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

Robusta Corporation has submitted an application for an expansion of a liquor licence to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a premises at 782 King Street West operating under the name Cabal (the “Premises”). The applicant is seeking a liquor licence for a capacity of 19 patrons on an outdoor boulevard patio. Currently, the Premises has a liquor licence for the indoor area for a capacity of 142 patrons. Earlier this year the applicant applied for and received a Boulevard Café Permit to use the portion of King Street West in front of the Premises as part of the restaurant.

The proposed boulevard patio is located in close proximity to residential properties. Therefore, the application to expand the liquor licence to the outdoor area is not in the public interest unless certain conditions, addressing the concerns of the community, are added to the licence.

Under no circumstance should a liquor sales licence for the patio be granted at the Premises without appropriate conditions attached.

This matter is deemed urgent as the deadline to object to the application was September 19 and a public meeting conference with the AGCO will be scheduled in October.

(Submitted to City Council on October 8 and 9, 2013 as MM39.18)

Background Information (City Council)

Member Motion MM39.18