

City Council**Notice of Motion**

MM5.20	ACTION			Ward:20
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Liquor Licence Application - 137 Peter Street - Bar Hop Brewco - Licence No. 800196 - by Councillor Joe Cressy, seconded by Councillor Sarah Doucette

** 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 Joe Cressy, seconded by Councillor Sarah Doucette, 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 Bar Hop Brewco (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 participate in any proceedings with respect to the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the AGCO and 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.

Summary

2441793 Ontario Inc. has submitted an application for a new liquor licence to the Alcohol and Gaming Commission of Ontario ("AGCO") for a premises at 137 Peter Street operating under the name Bar Hop Brewco (the "Premises"). The applicant is seeking a liquor licence for an indoor capacity of 167 patrons and an outdoor capacity of 150 patrons for a proposed roof-top patio.

Prior to 2015 the Premises had been operating as a nightclub and there is a long history of Liquor Licence Act (LLA) violations for the several separate licensees that have operated the Premises. These violations have resulted in several suspensions of the liquor licence. In 1995 and 1996 a previous licensee operating the California Dream Restaurant and Nightclub at the

Premises was issued two suspensions by the AGCO for 3 days each for violations of the LLA. Between 2001 and 2005 the licensee operating the Premises under the names Society Café and Budo Liquid Theatre was issued 4 separate suspensions for violations of the LLA. The suspensions ranged from 5 to 40 days. The AGCO in a decision dated December 12, 2005 decided to suspend the licence for 40 days rather than ordering a full revocation because the licence was to be transferred to a new licensee. The AGCO stated that "there is no further risk to public safety as the business would be operated by completely new management if a suspension is issued and the business is sold".

The subsequent licensee operated the Premises from 2006 until 2008, and on June 13, 2006 the licence was suspended for 17 days for violations of the LLA. From 2008 until 2010 the Premises operated as Reign Lounge and more violations of the LLA resulted in three further suspensions of the licence. Up until January of this year when the licence was surrendered to the AGCO the Premises operated as Ohso Nightclub.

The Premises is located in the City's entertainment district among a large concentration of night clubs. It is also located near residential buildings and is in close proximity to the City's Housing Assessment and Referral Centre located at 129 Peter Street. These are sensitive uses that may be impacted by the Premises. Considering the history of problems and LLA violations at the Premises, the proximity of sensitive uses, and the proposed capacity of an outdoor rooftop patio, the application for the licence should not be granted unless suitable conditions are placed on the licence to prevent impacts on the neighbouring community.

This matter is deemed urgent as the placard deadline for objections was March 15, 2015.