



November 13, 2014

Toronto and East York Community Council  
100 Queen St W  
Toronto M5H 2N2

Dear Chair and Members,

**RE: Liquor Licence Application to Remove Conditions North of Brooklyn Pizzeria – 650 1/2 Queen Street West  
Licence Number 239252**

North of Brooklyn Pizzeria Inc. ("North of Brooklyn") is the occupant of an establishment located at 650 ½ Queen Street West (the "Premises") operating under the name North of Brooklyn Pizzeria. North of Brooklyn submitted an application to the Licence Appeal Tribunal to remove some of the conditions that currently are attached to the liquor licence for the Premises. The conditions proposed to be removed are listed in Attachment 1 to this Motion.

In March of 2012, North of Brooklyn applied for a new liquor licence at the Premises. The City and some local residents objected to the application. In advance of a hearing at the Licence Appeal Tribunal (LAT) on December 12, 2012, North of Brooklyn, a local resident who was a party to the proceedings, and the City reached a settlement on conditions that were placed on the licence. These are the conditions that are subject to the current removal application.

The City objects to the current application to remove conditions from the liquor licence as a change in circumstances that would warrant their removal has not occurred at the Premises.

The conditions proposed to be removed primarily relate to the prevention of noise impacts late in the evening on local residents living in close proximity to the Premises. North of Brooklyn is located on a flanking street that is set well back from Queen Street West and is extremely close to low density residential properties. Local residents have advised the City that over the last few years North of Brooklyn has at times not abided by the conditions on their licence related to mitigating noise, and as a result local residents are being impacted by North of Brooklyn.

A change in circumstance has not occurred to permit the removal of the conditions currently attached to the liquor licence for the Premises. Therefore, it is not in the public interest having regard to the needs and wishes of the residents to have the conditions removed. The Licence Appeal Tribunal should issue a Proposal to Refuse the application.

This matter is considered urgent as the deadline for objections to the removal of conditions application was November 9, 2014.



**RECOMMENDATIONS:**

1. That City Council direct the City Clerk to advise the Licence Appeal Tribunal (“LAT”) that the City of Toronto objects to the application to remove conditions attached to the liquor licence for North of Brooklyn Pizzeria, 650 1/2 Queen Street West (the “Premises”), as a change of circumstances has not occurred at the Premises to warrant their removal, and that the LAT should issue a Proposal to Refuse the application.
2. City Council request the LAT to provide the City of Toronto 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 be directed to take all necessary actions so as to give effect to this Motion, including adding and deleting conditions to the current liquor licence issued for the Premises, in consultation with the Ward Councillor.

Sincerely,

Mike Layton  
City Councillor  
Ward 19, Trinity-Spadina



**Attachment 1 – Proposed Conditions to be Removed from the Liquor Licence**

1. The Licencee shall not have open windows or popped open doors on the Premises after 8:00pm
2. The Licencee shall not sell spirits in the Premises after 8:00 p.m.
3. The Licencee shall not have outside seating at the Premises
5. The Licencee shall ensure that any sound that clearly originates from the operation of the business at the Premises is not audible at any residential building after 8:00pm. This clause includes, but is not limited to, sound generated by any internal or external loudspeakers, conversation by patrons within or outside the Premises, busing, garbage disposal and bottle disposal
18. The Licencee shall close the Premises at the following times: 9:00 p.m. on Sunday, 10:00 p.m. on Monday through Thursday, and 12:00 a.m. on Friday and Saturday.