

Ward 18, Davenport
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December 3, 2014

Toronto and East York Community Council
100 Queen St. West
Toronto, ON M5H 2N2

Dear Chair and Members,

NEW BUSINESS REQUEST: Liquor Licence Application, Duffy's Tavern, 1238 Bloor St. West, Toronto, File No. 90126

RECOMMENDATIONS:

1. That City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario that the liquor licence application for Duffy's Tavern, 1238 Bloor St. W. ("**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. That 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. That the City Solicitor be authorized to attend all proceedings before the LAT in this matter and be directed 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:

2200608 Ontario Limited has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario ("**AGCO**") for the premises at 1238 Bloor St. W., operating under the name Duffy's Tavern ("**Premises**"). The application is for an outdoor patio on Bloor Street with a proposed capacity of 6 persons.

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These Premises have been the subject of three hearings at the AGCO to either revoke or suspend its liquor licence because of alleged breaches of the Liquor Licence Act ("**Act**") and regulations. The liquor licence was suspended on two occasions for 17 and 6 days respectively, based upon the admission of the licensees to breaches of the Act or regulations. At the third hearing, even though there were admitted breaches of the Act and so noted by the tribunal, suspension of the liquor licence was waived.

The Premises are located in close proximity to residential properties. There are concerns related to 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. The Registrar of the AGCO should be requested to issue a Proposal to Refuse the liquor licence application.

Thank you for your consideration.

Sincerely,

Ana Bailão
City Councillor
Ward 18, Davenport