

City Council**Motion without Notice**

MM12.25	ACTION			Ward:17
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Liquor License Application - 2350 Dufferin Street - Second Beer Bar and Restaurant - by Councillor Cesar Palacio, seconded by Councillor Josh Colle

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Etobicoke 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 Cesar Palacio, seconded by Councillor Josh Colle, 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 Second Beer Bar and Restaurant, 2350 Dufferin Street (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 actions so as to give effect to Council's decision, 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, public safety, security personnel, security cameras, crowd control, signage, lighting and litter.

Summary

An application for a liquor licence has been made to the Alcohol and Gaming Commission of Ontario for the premise at 2350 Dufferin Street operating under the name Second Beer Bar and Restaurant (Premises).

The business operator of Second Beer Bar and Restaurant previously operated next door at 2348 Dufferin Street and had their lease terminated a few months back, after several years of

unruly behaviour that resulted in frequent monitoring by the Toronto Police Service.

This bar has been the source of many complaints related to: loud noise, public drunkenness, disorderly behaviour, physical altercations, alleged drug dealing, loitering, and public safety concerns, which have seriously detracted from the success and vitality of the local business strip.

According to the Toronto Police Service, Second Beer Bar and Restaurant, while previously operating at 2348 Dufferin Street, had been under heightened monitoring for some time due to the time and resources that were required to keep community members safe in and around the establishment. There have been 67 Calls for Service from February 21, 2010 to November 14, 2015. These service calls significantly tie up Police Service resources, often Toronto Paramedic Service Resources, and sometimes Toronto Fire too.

Furthermore, since January 22, 2012, 13 Division officers submitted 47 Licence Premises Reports under the Liquor Licence Act. Of those Reports, 13 have resulted in Charges under the Act. The charges have included, but not limited to: No Smart Serve Card; Alcohol being consumed in areas other than allowed by the Liquor Licence; Permit Drunkenness on the Premises; and No Liquor Menu. Criminal Code Charges have included Causing a Disturbance, Obstruct peace Officer and Assault Peace Officer. Officers from 13 Division often attended the premises accompanied by Alcohol and Gaming Commission of Ontario Investigators.

Most importantly, this business operator is discouraging good people and families with young school-aged children from walking freely along the street and feeling safe, and they've reached a point now, where they can no longer tolerate or be subjected to this inexcusable behaviour. Lastly, the Premises is located in close proximity to residential properties and there is great concern that the establishment will continue to be very disruptive for residents in the area. This application for a liquor licence is, therefore, not in the public interest and must be turned down.

Background Information (City Council)

Member Motion MM12.25