

City Council

Motion without Notice

MM31.55	ACTION			Ward:37
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1249 Ellesmere Road - Supreme Restaurant and Bar - Review of Liquor Licence 801652 - by Councillor Michael Thompson, seconded by Councillor Glenn De Baeremaeker

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate*

Recommendations

Councillor Michael Thompson, seconded by Councillor Glenn De Baeremaeker, recommends that:

1. City Council direct the City Solicitor to request the Alcohol and Gaming Commission of Ontario to review the liquor licence of 1249 Ellesmere Road – Supreme Restaurant and Bar (the “Premises”) and, if warranted, issue a Notice of Proposal to suspend the liquor licence on the grounds that the past and present conduct of the Licensee affords reasonable grounds that the business will not be operating in accordance with the law, and the operation of the business is not in the public interest with regards to the needs and wishes of the residents in which the Premises is located.
2. City Council request the Alcohol and Gaming Commission of Ontario and the Licence Appeal Tribunal to provide the City with an opportunity to participate in any proceedings with respect to a Notice of Proposal to suspend the licence for the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the Alcohol and Gaming Commission of Ontario or the Licence Appeal Tribunal in this matter and City Council direct the City Solicitor to take all necessary actions so as to give effect to this Motion.

Summary

Dalla Gulcharan (the “Licensee”), operating as Supreme Restaurant and Bar, 1249 Ellesmere Road (the “Premises”), was granted a liquor licence by the Alcohol and Gaming Commission in 2013. The licence is for an indoor capacity of 46 patrons and it is not subject to any conditions.

Since the Premises received their liquor licence, complaints have been made by residents living adjacent to the Premises on Birkdale Road about noise and nuisance impacts from special events held at the Premises. During these events patrons are observed consuming alcohol

outside of the Premises in the parking lot, and over the course of the events they become louder and increasingly impactful. The Premises is located at the end of a commercial plaza a few metres from a flanking street that contains single detached residential dwellings. These dwellings are as close as 20 metres to the Premises, and at the conclusion of the events, beer bottles and plastic cups are littered in the parking lot and on the adjacent residential lots.

Even though the neighbouring residents and the local Councillor's office have advised the Licensee of the negative impacts the events are having on the adjacent neighbourhood, they continue to occur. Therefore, the City is seeking a review of the liquor licence by the Alcohol and Gaming Commission of Ontario for a suspension under section 15(1) of the Liquor Licence Act based on the following two grounds:

1. Section 6(2)(d) of the Act, the past and present conduct of the Licensee and managers of the Premises affords reasonable grounds that the business will continue to disturb residents living to the Premises on Birkdale Road; and
2. Section 6(2)(h) of the Act, the licence is not in the public interest having regard to the needs and wishes of the residents in which the premises is located.

Background Information (City Council)

Member Motion MM31.55