

## City Council

### Motion without Notice

MM35.44	ACTION			Ward:19
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**1032 Queen Street West, Wallen - Licence 808865 - Application to Remove Conditions from Liquor Licence - by Councillor Mike Layton, seconded by Councillor Jim Hart**

*\* 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 Mike Layton, seconded by Councillor Jim Hart, recommends that:

1. City Council direct the City Clerk to advise the Licence Appeal Tribunal that the City of Toronto objects to the application to remove a condition attached to the liquor licence for Wallen, 1032 Queen Street West (the “Premises”), as a change of circumstances has not occurred at the Premises to warrant the removal, and that the Licence Appeal Tribunal should issue a Proposal to Refuse or Review the application.
2. City Council request the Licence Appeal Tribunal to provide the City of Toronto with an opportunity to participate or become a party to any proceedings with respect to the Premises.
3. City Council authorize the City Solicitor to attend all proceedings before the Licence Appeal Tribunal 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 the current liquor licence issued for the Premises, in consultation with the Ward Councillor.

### Summary

2440982 Ontario Limited has submitted an application to the Licence Appeal Tribunal to remove a condition that is currently attached to the liquor licence for the establishment located 1032 Queen Street West (the "Premises") operating under the name Wallen. The condition proposed to be removed is listed in Attachment 1 to this Motion.

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

There is a concern about the removal of the condition because noise and patrons from the Premises disturb area residents, many of whom have complained to the Ward Councillor's office and Municipal Licensing and Services. The Queen West strip on which the Premises is

located hosts a very high concentration of licenced establishments and, in turn, a large number of visitors under varying degrees of alcohol intoxication.

A recent stabbing incident located in close proximity to the Premises is of great concern to area residents and the Ward Councillor. The City of Toronto and the Toronto Police Service invest additional resources to manage these issues in this area, but an equally important component of managing the area is the application and enforcement of reasonable conditions to liquor licences, such as the one currently attached to the liquor licence of the Premises.

A change in circumstance has not occurred to permit the removal of the condition 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 condition removed. The Licence Appeal Tribunal should issue a Proposal to Refuse the application.

### **Background Information (City Council)**

Member Motion MM35.44

Attachment 1 - Proposed Condition to be Removed from the Liquor Licence  
(<http://www.toronto.ca/legdocs/mmis/2017/mm/bqrd/backgroundfile-109862.pdf>)