

City Council

Notice of Motion

MM43.1	ACTION			Ward:14
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1592 Queen Street West - Liquor Licence Application - Birky's Bar - File 810456 - by Councillor Gord Perks, seconded by Councillor Joe Cressy

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East 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 Gord Perks, seconded by Councillor Joe Cressy, recommends that:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario that the liquor licence application for 1592 Queen Street West, operating under the name "Birky's Bar" ("Premises") is not in the public interest having regard to the needs and wishes of the residents, and that the Registrar should issue either a Proposal to Review or a Proposal to Refuse the liquor licence application.
2. City Council request the Licence Appeal Tribunal 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 Licence Appeal Tribunal in this matter and direct the City Solicitor to take all necessary action so as to give effect to this Motion, including determining whether the application ought to be refused outright or whether the application can be supported with conditions to the liquor licence, all in consultation with the Ward Councillor.

Summary

The applicant has submitted an application for a liquor licence to the Alcohol and Gaming Commission of Ontario for the premises at 1592 Queen Street West, operating under the name Birky's Bar ("Premises"). The application is for an indoor capacity of 27 persons and an outdoor patio capacity of 16 persons.

The Premises are located in close proximity to residential properties. There are concerns with respect 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 unless the concerns of the

residents are addressed. The Registrar of the Alcohol and Gaming Commission of Ontario should be requested to issue a Proposal to Review or a Proposal to Refuse the liquor licence application.

The City needs to file its objection to the liquor licence application as soon as possible because there is a deadline and also to be able to participate in any hearing in this matter. It is urgent that Council consider this matter at this Council meeting.

Background Information (City Council)

Member Motion MM43.1