

Attachment 1

ATTACHMENT 1: NIGHT-TIME ECONOMY REPORT - SUPPORTING DOCUMENTS

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APPENDIX 1: NIGHT-TIME ECONOMY LITERATURE REVIEW

The topic of the night-time economy is one of scholarly interest since the mid-1990s to today (Bianchini, 1995) (Wolifson & Drozdowski, 2017). The academic articles reviewed mostly focused on night-time economy examples from Europe such as Northern England, Scotland, Germany, The Netherlands, Denmark, France and Italy. The United States was also a popular region for case studies of cities such as Los Angeles, Philadelphia, Baltimore, Cincinnati and New York. As well, there were articles about nightlife in Turkey, Mexico, Argentina and Singapore.

Academic research on the night-time economy tended to fall into at least one of the following four categories:

- Urban regeneration through the night-time economy (Hollands & Chatterton, 2003),
- Live music venues at night and the music industry more generally (Brown, O'Connor, & Cohen, 2000),
- Nightlife by-laws and safety (Roberts & Turner, 2004) (Rowe & Bavinton, 2011) (van Liempt & van Aalst, 2012), and
- Addressing nightlife barriers such as socio-economic status, age, gender, sexual orientation or religious beliefs (Valentine & Holloway, 2010) (Warren & Evitt, 2010) (Hae, 2011).

The major findings from the literature review are that the night-time economy is not new and not unique to Toronto. As well, the presence of the night-time economy in cities is not visible during the day, and not widely recognized as a valued contributor to the economy.

Through academic publications there is evidence that cities around the world have leveraged the night-time economy as a post-industrial regeneration strategy since the 1980s, and have explored the concept of the 24 hour economy since the 1990s (Heath, 1997). The night-time economy is present in many advanced capital economies, particularly those in dense urban areas with empty manufacturing plants or abandoned industrial waterfronts, and where the service sector has become a strong contributor of economic growth. Night-time businesses are a type of agglomeration activity and are usually clustered in particular areas of the city such as entertainment districts, corridors, streets, or blocks (Campo & Ryan, 2008) (Marquardt & Henning, 2012). However, night-time businesses are hard to see during the day because spaces are shuttered during daytime hours, or are being used during the day for other purposes. Relatively few people in the daytime economy know about night-time scenes in their city. As a result, the night-time economy is an often overlooked topic of official economic development strategies, local cultural development efforts and cultural policy studies. It is also a peripheral topic within academic research on the music industry, which had mostly focused on music publishing and has only recently started to study live music (Cloonan, 2011).

The academic research also points to the following potential benefits of creating a night-time strategy:

- *Night-time is a New Way of Addressing Creative City Development* - There is an integral relationship between the culture sector and the night-time economy because of the high degree of consumption activities that take place at night, and the number of creative workers that work at night.
- *Investment in Night-time Can Create a Stronger 24H Economy* - A night-time economy strategy can be a mechanism for boosting local brands, diversity, and distinctive regional tastes both in terms of cultural services and local consumer products such as craft beer.
- *It is an Opportunity to Develop a More Seamless Transition Between Daytime and Night-time through "Cross-Over" Activities* - Daytime and night-time "cross-overs" are happening both through activities such as museum nights or early theatre shows on weeknights, and in venues that during the day are gyms, temporary event spaces or meeting rooms, and at night are live music venues, restaurants or nightclubs.
- *A Plan for Night-time Can Actually Increase Safety* - By creating a strategy around the night-time economy, the city will become safer through proactive strategies for reducing crime and residential disturbances, and attracting a broad section of people into the city at night.
- *Attention to Night-time can Foster a Better Understanding of Daytime Economy Trends* - The circulation of cultural products and experiences at night through creative industries such as fashion, art and music, and driven by a social life through clubs, galleries, music venues and fashion shows, can stimulate the economy overall (Currid, 2007).

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APPENDIX 2: NIGHT-TIME ECONOMY JURISDICTIONAL REVIEW

The jurisdictional review confirmed that in the past decade cities around the world have begun to approach time of day as the new competitive edge for urban development. As part of the jurisdictional review, Amsterdam's original Night Mayor, Mirik Milan, said by telephone, "*Planning the city for night-time is not different than planning the city for daytime - it's just never been done before*".

From the creation of new nightlife management programs, to the development of master plans, cities are starting to approach night with the same level of attention and awareness that they invest in the day. The jurisdictional review accessed information from local government websites, reports, and direct communication through email and telephone with relevant experts in Amsterdam, London (UK), Montreal, New York City, Paris, Seattle and Sydney. Through the Responsible Hospitality Institute (RHI) EDC Division also contacted staff at the City of Calgary and the City of Edmonton, who have previously worked with RHI on downtown nightlife management strategies.

There is no single model for night-time economy management in cities - it can be industry led, municipally led, or some combination of both. Most cities with a successful nightlife have at least one of the following: an identified city lead (can be internal or external), staff in a local government film, music, media and entertainment office that can work with other city divisions, a mechanism to coordinate nightlife industry and stakeholder input on an ongoing basis, and a nightlife action plan or master plan.

Amsterdam and London - Identified City Leads for the Night (Internal or External)

The most widely recognized city in the world to advance nightlife leadership is Amsterdam. In 2002, faced with the obstruction of nightlife in Amsterdam, local politicians developed the idea of establishing a Night Mayor office for the city. The Night Mayor office is a local independent not-for-profit organization that is funded by the municipal government, nightlife industry businesses, and earned revenue through self-produced events. While there is a daily working relationship with city hall, and a close promotional relationship between the elected Mayor and Amsterdam's "Night Mayor", structurally the Night Mayor office operates at arm's length to the local government. Mirik Milan, the original Night Mayor of Amsterdam, was first elected in 2012 and re-elected in 2014. Shamiro van der Geld was elected as Night Mayor of Amsterdam in February 2018 for a three year term. The Night Mayor is selected by a jury of five members with five votes, online voters that combined have one vote, and the general public that combined have one vote. Anyone can nominate themselves for the election.

The purpose of the Night Mayor is to be a 'rebel' in a suit and work across stakeholders to introduce new programs that enhance the cultural value of nightlife. For example, last year the Night Mayor office piloted a program to offer ten 24 hour licences to venues located outside the downtown core in Amsterdam. Successful venues needed to show curation of music programming and added community cultural benefits such as: offering co-working spaces, gyms, galleries and daycare spaces during the day. The next round of issuing ten 24 hour licences will focus on small to mid-sized venues that program

local start-up bands to support the city's future cultural production, and foster a socially and ethnically inclusive nightlife.

London has followed Amsterdam's lead and in 2016 created a Night Czar position that is appointed by the city's Mayor. The Night Czar was originally intended as a part-time position, however it has since become a full-time position. London's Night Czar is said to be one of the highest public profile positions of the city government, second only to the Mayor. As the Night Czar is so closely connected to the city's Mayor, the Night Czar is prone to political attacks and critiques from the media or the general public. The Night Czar position handles day-to-day issues, music and nightlife promotion, and is supported through a unit within the bureaucracy that focuses on nightlife management and music development. In addition to the Night Czar, the Mayor of London introduced 24 hour licences in London, 24 hour subway service on Friday and Saturday nights (called the Night Tube), and established a Night-time Commission with representatives from a broad group of nightlife stakeholders to address longer-term policy development for the night-time economy. As more and more people, particularly in the lower economic strata, are working at night, developing the night-time economy has a social justice element to it. In 2017, the Mayor of London released the planning document called *From Good Night to Great Night: A Vision for London as a 24 Hour City*. One of the principles of the Mayor's vision for nightlife is to take account of "future global and domestic trends in leisure, migration, technology, employment and economics".

Berlin and Paris - Ongoing Coordination of Nightlife Industry and Stakeholders

In addition to elected representatives (either through industry/audience/public elections or through politically elected appointments), the European model is also founded on the initiative of nightlife industry coordination. For example, Berlin's *Clubcommission* is an association of nightclubs, party and cultural event organizers promoting the sector since 2001. The *Clubcommission* is the voice of the Berlin club scene and supports its members with training development specific to the industry, consultancy, public relations, networking, and framework agreements.

Paris established a *Conseil de la Nuit* in 2014. The *Conseil* is comprised of local government officials such as police and the tourism agency and political representatives, not-for-profit organization such as cultural organizations, neighbourhood representatives and student organizations, and nightlife industry representatives including restaurants, bars and artists. The first actions from the *Conseil* were: creating a promotional campaign to reduce noise disturbances in the streets, partnering with Air France to launch an international campaign to promote Paris' nightlife, and extending the city's subway operating hours.

San Francisco, Seattle and New York City - Staff in Local Government Film, Music, Media and Entertainment Offices

In the United States of America, local governments' approach to night-time tends to take place through offices of film, music, media and entertainment. For example, Seattle manages nightlife through the Office of Film and Music. San Francisco established an

eight person Commission to manage Nightlife and Entertainment. Through a directive of a New York City Councillor last year, New York City has established an Office of Nightlife and has just announced Ariel Palitz as the City's first Nightlife Mayor. The office will be releasing a strategy for nightlife in 2019. In general, the U.S.A. has a strong Mayor political model for local government. Leadership of American offices of nightlife therefore are influenced or created through the Mayor's Office or Mayor-appointments. While local government offices of film, music, media and entertainment may be the primary point of contact for nightlife businesses, these offices work with multiple city departments including police, fire, law, streets, transportation and business licensing. There is no organizational chart that illustrates the day-to-day interactions across the bureaucracy in cities that support the night-time economy.

Brisbane and Sydney - Local Government Nightlife Master Planning and City Planning

Australia's examples of nightlife management are notable for the level of sophistication and long-range planning of their city's nightlife. In 2004 Brisbane City Council developed the *Valley Music Harmony Plan*. One of the first actions of the plan was the creation of the Valley "Special Entertainment Precinct". The defining characteristic of the Precinct is that entertainment is the primary use of the precinct, and residential is a secondary use. To enforce the Precinct's intention, the Plan places the onus on new development to incorporate a high standard of noise insulation and enables uniform noise emission levels for music venues. The Plan also identified the need for a communication strategy to make potential residents aware of the precinct's entertainment values, before they move in. This included the creation of the online Valley Sound Machine, which enables potential residents to hear what it may sound like living in the Valley at different times of the day and night. At the same time, the Plan also makes it clear that amplified music venues have an obligation to manage their noise. Essentially this is a prototype for 'Agent of Change' policies where the agent introducing a change assumes the responsibility and costs to ensure that existing uses are not spoiled or pushed out.

In 2009, the New South Wales Government introduced new regulations for Entertainment to make it easier for restaurants, clubs, pubs and cafes to have live music. Two years later, the City of Sydney released *OPEN Sydney: Strategy and Action Plan 2013-2030*. It is the City's vision for the long-term development of Sydney's night-time economy. Sydney is now calling for expressions of interest from people to join a new "Nightlife and Creative Sector Advisory Panel" that will provide expert advice on nightlife and cultural policy strategies. This attention to planning has also inspired smaller communities such as Wollongong (population under 300,000) to develop a *Wollongong City Centre Evening Economy Action Plan, 2014 - 2018*, the following year.

APPENDIX 3: NIGHT-TIME ECONOMY STAKEHOLDER CONSULTATIONS

The results from the Toronto night-time stakeholder consultations in December 2017 and January 2018 show that people across various groups are interested in the City of Toronto becoming more involved in the night-time economy. While this did not translate into strong support for introducing a Night Mayor Ambassador Program, the consultations did reveal a need for the City to provide services for businesses operating at night, and recognize residents who want a good night's sleep.

The stakeholder consultations focused on assessment of the current situation in Toronto between 6 pm and 6 am and an exploration of a Night Mayor Ambassador Program for Toronto. Related topics such as community safety, late night transportation, and special events were a part of the stakeholder discussions, and are outlined below.

Assessment of the Current Situation, SWOT

Developing the night-time economy offers potential benefits for the city's economic and cultural sectors, and immediate day-to-day concerns for some Toronto residents. Toronto stakeholders were asked to assess the city's night-time strengths, weaknesses, opportunities and threats.

Strengths, Including Community Safety

Toronto is Canada's largest city with a population of just under 3 million people in the city proper, and 6.3 million in the Toronto region, as of 2017 (City of Toronto). In 2015, the Toronto region received 40 million tourism visits, with a record 14 million overnight visitors (Ontario Ministry of Tourism, Culture and Sport). Overnight visitors spend more. Total spending by all tourism visitors in the region was \$6.3 billion in industries such as transportation, accommodation, food and beverage, entertainment and retail, with about 70% of the total (\$4.38 billion) spent by overnight visitors.

The night-time economy is one of Toronto's defining characteristics as a big and growing city. Toronto offers international tourists and residents exciting culinary scenes, a vibrant nightlife, many live music and entertainment options, and a wide variety of festivals and special events throughout the year. In Toronto, the local audience has an insatiable appetite for cultural offerings that is fuelled by the city's strong cultural sector. Businesses mentioned that nightlife amenities are an advantage to attracting talented people, and are often considered a benefit of working downtown.

As a tourist and convention location, the city offers a walkable downtown 'campus' within a small geographic area where someone can enjoy a show, a meal, a drink and live music. Downtown Toronto has the highest concentration of cultural and entertainment facilities in the city, including a number of large-scale venues that draw huge crowds such as the Air Canada Centre, Four Seasons Centre for the Performing Arts, Massey Hall, and the TIFF Bell Lightbox.

In terms of community safety, everyone agreed that safety is the most important element of a successful nightlife. People felt that Toronto is a safe city and is perceived to be a safe place to visit.

Weaknesses, Including Late-Night Transportation

In response to late-night transportation, there were repeated calls across all stakeholder groups for an increase in transit service, especially as it relates to the evening rush-hour service and late-night service. Long evening commutes were identified by stakeholders as a barrier to bringing people back into the city after work. Many people suggested that the City introduce 24 hour transit, beginning with Friday and Saturday nights, similar to London's Night Tube.

Several nightclub owners along King Street mentioned that more should be done to address late night transportation within the context of the King Street Pilot project. They mentioned that there is not enough space for taxis and Ubers to pick up patrons. Congestion around nightclubs at 3 am is a safety concern for Police and a noise concern for residents. Late-night transportation concerns related to the King Street Pilot are anticipated to intensify with the arrival of summer.

A resounding comment from many people, across stakeholder groups, was a call for the introduction of public toilets and better street lighting at night.

Opportunities, Including Expanding Activity Types at Night and Special Events

The future of Toronto's night-time economy and nightlife is a city-wide issue. In terms of positive impacts, stakeholders say a vibrant nightlife in the city is essential to enhancing the city's international reputation, attracting talented people and businesses to the city, and growing the city's overnight tourism stays. The stakeholders said that developing the city's night-time economy can strengthen the connection between the city's nightlife and cultural sector, and support more 24 hour initiatives such as better public transit and making better use of city infrastructure 'around the clock'. The night-time economy may also represent an opportunity for small businesses to increase their long term viability in the face of rising rents and other cost factors of running a small business. There was a call from stakeholders to include nightlife as part of all future planning strategies for the city, especially in areas where new office development is planned.

People would also like to see more to do in Toronto at night and there is a call for the City to respond to the various lifestyle choices and diverse cultures in Toronto. For example, this could include expanding the number of activities at night that are not just about drinking alcohol, creating more packaged events around music, arts and culture in the city, encouraging cultural institutions to program past 9 pm, and supporting the development of late-night cultural activities outside the downtown core. Stakeholders observed that young people from Richmond Hill, Vaughan, Markham, Brampton, and Thornhill already congregate on Yonge St. North (at Finch Avenue and Sheppard Avenue) for restaurants, bars, movies, karaoke, etc., and there is an opportunity to capture more leisure dollars of 905ers in North York.

There is a sense that further development of the night-time economy will also have a positive effect on special events, because it would create a stronger network of increased services and infrastructure for the city at night throughout the year. There is an opportunity for the City of Toronto to become more involved in creating and supporting large-scale civic spectacles at night. This would attract tourists and promote the city's vibrant nightlife around the world.

Threats, Including Residents' and Business Concerns

There are ongoing concerns between night-time businesses and residents related to business licensing type and late-night disturbances. Close to 240,000 people live downtown, with more than 7,500 residents added annually over the past 5 years. By 2041, Toronto's downtown has the potential to be home to as many as 475,000 residents.

The downtown, including the King-Spadina and King-Parliament areas is the only area in Toronto where nightclubs are permitted as of right, albeit subject to conditions. Some nightclubs exist outside of this area, however they likely have site-specific permissions that were permitted historically under a former zoning by-law. See Appendix 5: Map of Nightclub Permission Areas for the boundaries.

Resident stakeholders fear that the development of the night-time economy will result in the proliferation of nightclubs in the city. Stakeholders say that nightlife beside residential condominiums is affecting people's health. Disturbances such as noise, public urination, defecation, vomiting, assaults, and other crimes, pose a threat to the appeal of the downtown core as a place to live. There is a sense, on behalf of residential associations, that the decline in the number of businesses with a nightclub licence has improved the downtown core's desirability as a residential area, and that the city does not have the resources to respond to the current level of late-night disturbances.

From a business perspective, there is a concern that the cost of space in the downtown core means that night-time activity is becoming dominated by a few large companies that have the operating capital to keep up with pricey rents. Small and medium-sized businesses, and local enterprises are finding it difficult to keep pace with increased operating costs. As technology offers more personal entertainment options, it is challenging the financial viability of live performances, such as music venues, and there is a concern that people are not going out as often, or are less willing to pay for live entertainment and leisure experiences. There was less of a concern about the threat of technology on other night-time economy activities such as restaurant services. Lack of customer loyalty is a threat to nightlife in the city as the 'cool' factor of a new space or new venue has a major appeal for patrons. Rising operating costs, such as minimum wage increases, are also challenging businesses in the city, including those operating at night. There are concerns that if nothing changes, Toronto's future nightlife will be:

- Unaffordable that only the wealthy few can enjoy
- Illegally happening in unregulated spaces

- In large-scale venues that can draw huge crowds to cover expensive operating costs
- Not happening as small to medium sized local enterprises will not exist

Night Mayor Ambassador Program

Stakeholder opinions on a Night Mayor Ambassador Program for Toronto ranged from supportive to resistant.

Everyone consulted in Toronto did not like the term 'Night Mayor'. It was repeatedly observed that it sounded like 'nightmare'. Many people also said that they did not like the term 'mayor' associated with an unelected position. There was a concern that adding a 'Night Mayor in Toronto would add another layer of bureaucracy. They believed the City's Mayor should represent both daytime and night-time interests. Stakeholders were concerned that a single 'Night Mayor' external to the local government may not have the appropriate influence required to make changes at City Hall.

Several stakeholders from different groups mentioned that a successful nightlife should not depend on one person. What is most important is not whether or not a city has a 'Night Mayor', but what a city does to support the night-time economy. Some stakeholders were hesitant about the idea of creating a 'Night Mayor' as a quick fix to problems, and said that a city should first bring everyone together to create a 'manifesto' for the night before it considers hiring a 'Night Mayor'. Many people were unclear as to what a 'Night Mayor' would do for the city.

It is also important to note that some stakeholders felt the City of Toronto is currently doing a good job in supporting the city's music sector through the Toronto Music Industry Advisory Council and the *Toronto Music Strategy*, and they did not want a Night Mayor Ambassador Program to hold back or duplicate this work.

Those that were supportive of a Night Mayor Ambassador Program, focused on the opportunity for nightlife businesses to have someone to speak with at City Hall, and for residents to work with someone that could appreciate their interests.

Development of the Night-time Economy

While there was no consensus on introducing a 'Night Mayor' in Toronto, the process uncovered a keen interest across all stakeholders for the City of Toronto to become more involved in the social, cultural and economic activities in the city, between 6 pm and 6 am. There are several reasons for this. Businesses that operate on an alternate schedule from City Hall would like more 'daytime' services. Residents who experience disturbances at night want someone to work with at City Hall who respects their interests, and will proactively undertake preventative measures and programs. City Services that work around the clock, such as Toronto Police Service, Toronto Fire Services and Toronto Paramedics Services, would like to see more planning and connection with City divisions that primarily work during the day. Most people recommended the work related to supporting business and residential needs at night

should be within the local government, similar to American cities who are actively managing nightlife.

Potential areas that stakeholders would like to see 'daytime' City Hall get more involved with related to developing the night-time economy are outlined below.

Night-time Planning, Policy, and Research Services

- Changing mindsets about the night
- Developing a strategic plan for the night
- Recognizing the night-time economy in relevant strategic plans
- Gathering data on the city's night-time economy
- Developing regulations and zoning by-laws
- Exploring options to develop night-time activities outside the downtown core

Night-time Infrastructure Services

- Planning and implementing late-night transportation improvements
- Public health and safety improvements such as public toilets
- Public realm improvements such as late public street lighting

Night-time Business, Culture, and Tourism Services

- Economic Development and Culture staff working nights (and days)
- Promoting the city's nightlife to residents and tourists
- Supporting nightlife business retention needs
- Being a connection hub for 24 hour City Services and 'daytime' City Services
- Increasing the variety of activities that happen at night
- Developing new special events at night

Night-time Residents and Patron Services

- Working with residents
- Enhancing public awareness about safety at night
- Addressing behaviour around drinking alcohol
- Coordinating governance of the nightlife industry

Night-time International Network Services

- Participating in an international network of nightlife ambassadors from cities around the world

Community Safety

There are many City of Toronto services that already support a safe night-time economy in the city. For example, Toronto Police Service, Toronto Fire Services, and Toronto Paramedic Services are fully operational 24 hours a day. Stakeholders felt that the city's emergency, safety and police services do a good job of serving residents between 6 pm and 6 am.

Study on the Health Effects of Noise

There is increasing concern about the impacts of environmental noise on health, especially in urban areas. Public health is currently working on a long-term strategy on environmental noise in Toronto. This work is underway.

Review of Noise Regulation

In 2015, Municipal Licensing and Standards (MLS) began reviewing Chapter 591, Noise, which had not been comprehensively updated since 2002. The intention of the bylaw review is to develop effective noise regulations that protect residents in a growing and vibrant city. This work is underway.

Upcoming Safety Summit

In January 2018, multiple City divisions collaborated on a report to improve health and safety at entertainment events. One of the outcomes of the work is to develop a 'Safety Summit in the second quarter of 2018.

Licensing Type

Review of Licensing Type

On October 27, 2017, Municipal Licensing and Standards (MLS), in consultation with the City Solicitor was directed by the Auditor General to review the existing definition of "entertainment establishments/nightclubs" in Toronto Municipal Code, Chapter 545 to identify the necessary changes that will strengthen the Division's inspection and enforcement efforts relating to licensed eating establishments operating as unlicensed nightclubs (or resto-bars).

Current Regulation of Entertainment Establishments/Nightclubs

Toronto Municipal Code, Chapter 545, Licensing defines "Entertainment Establishment/Nightclub" as a "premises, including but not limited to a dance hall or disco, used to provide dance facilities for patrons, where seating is not provided for the majority of the patrons and where food or beverage may be offered for sale as an ancillary use". To operate as a nightclub, the City of Toronto requires an applicant to provide a noise and crowd control plan, and be staffed with at least one security guard for every 100 patrons in attendance at the premises. The security guard at the entrance must be equipped with a metal detector, and the establishment owner must have \$2 million in insurance. The entertainment establishment/nightclub business licence application is reviewed and approved through MLS Division.

According to MLS, the nightclub licence category was introduced in 2006 in response to increasing concerns by residents about the impact of Toronto's "club district". Complaints at the time related to issues such as noise, crowd control on the public sidewalk and general saturation of the area on weekends.

The nightclub licence category also has geographic restrictions. Before the City of Toronto will issue a business licence for a nightclub, the operator is required to first obtain a zoning clearance, as outlined in City of Toronto Zoning By-law 569-2013. The zoning clearance is executed by Toronto Building Division.

Under the City-wide Zoning By-law, 'nightclub' is a defined term that "means premises used to provide dance facilities for patrons and where food or beverages may be offered for sale, such as a dance hall or disco. A cabaret, an entertainment place of assembly, an eating establishment, or an adult entertainment use is not a nightclub".

The Zoning By-law permits nightclubs in the Commercial-Residential (CR) zone area approximately bounded by College Street, Church Street, Lakeshore Boulevard East and Simcoe Street, as well as in the Commercial-Residential-Employment (CRE) zones in the adjacent King-Spadina and King-Parliament areas. The area commonly known as the Entertainment District is within the King-Spadina CRE zone. See Appendix 5: Map of Nightclub Permitted Areas. Nightclubs outside of this area are exceptions, or were permitted historically under former zoning by-laws.

Within the permitted zones, there are conditions that must be met in order for a nightclub to be permitted. For example, a nightclub must be located on the first floor of a building, only one nightclub is permitted per building, and it must be on a lot that does not abut a lot in the Residential zone category or Residential Apartment zone category. This last requirement does not mean that a nightclub cannot be located beside a residential use or building within the CR or CRE zone, as these zones were intended to be mixed use areas. The intent of this condition is to provide some separation between nightclubs and lower density residential neighbourhoods.

In the King-Spadina area there is the added requirements that a nightclub cannot be located on a lot abutting Spadina Avenue. For the area of King-Spadina west of Spadina Avenue there are additional conditions which are: the maximum interior floor area of a nightclub may not exceed 350 square metres, a nightclub can only be located on a lot which existed in 2006, a nightclub only be located on a lot that abuts King Street West, Richmond Street West or Adelaide Street West, and the maximum total number of nightclubs in the area may not be more than 14. See Appendix 5: Map of Nightclub Permitted Areas for exact boundaries. These conditions for the King-Spadina Area are the result of a detailed Planning Study that was carried out in 2005 and 2006 in response to an Interim Control By-law that was enacted because of community concerns regarding nightclubs in the area.

With respect to the limit of 14 nightclubs in the CRE zone west of Spadina Avenue, Toronto Building staff keeps track of the existing businesses. The number 14 represents the number of nightclubs that were operating at the time that the study was done. Since that time the business names have changed, but as far as they are aware these premises continue to operate as nightclubs. There is one exception, where a building

was demolished to make way for the construction of a new mixed-use building, which briefly reduced the number of recognized nightclubs west of Spadina to 13. However, an application was made relatively soon after to convert another premise from a restaurant to a nightclub, which put the total back at 14.

Since 2010, the number of businesses with a nightclub licence in Toronto has declined 35%, from 55 in 2010, to 36 in 2017. See Table 1 (below) for the number of entertainment Establishments/Nightclub Licences issued and renewed by the City of Toronto since 2008. (Note: nightclub licenses represent a small percentage of the city's total live music venues. See the next section on 'Live Music Venues' for more detailed information.)

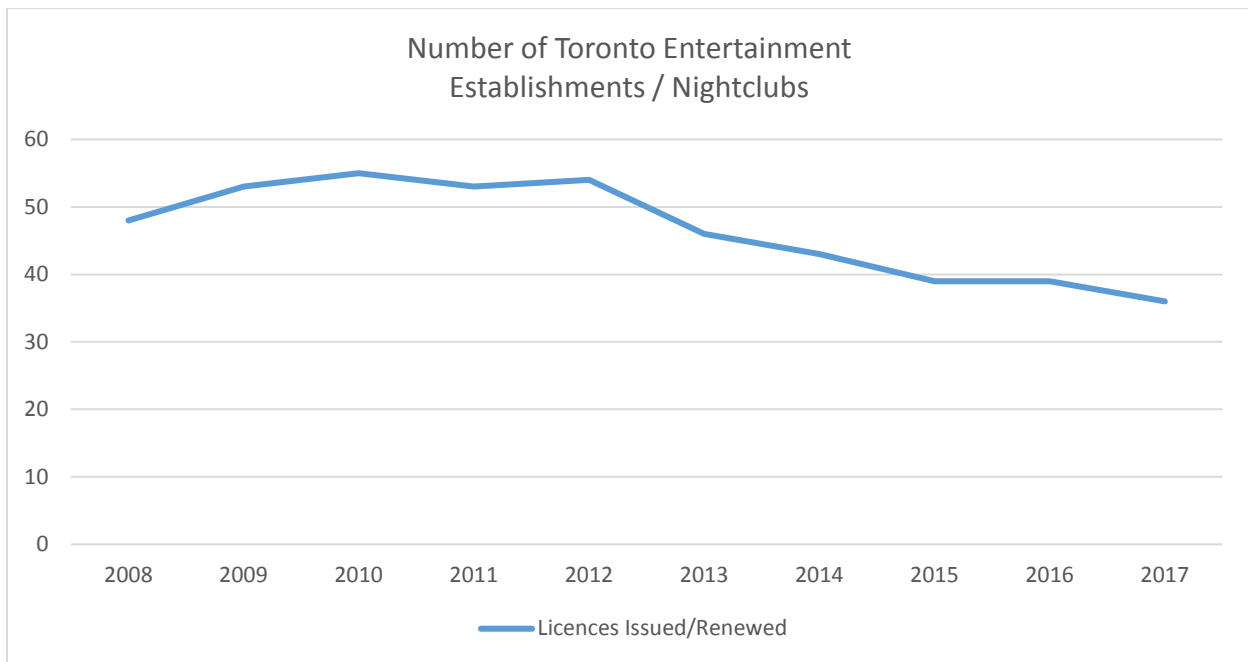
Nightclub activity in Toronto is restricted to a limited geography that also has the most expensive real estate in the entire city, and is projected to see significant growth in the number of residential buildings in the area. The current regulations also restrict the type of new nightlife activity that can happen outside the downtown core.

Stakeholders, particularly from nightclub operators said that with the current regulations and market conditions, there is no space left for nightclubs in the city.

On the other hand, resident stakeholders were adamantly opposed to the permission of more nightclubs in the city.

Table 1: Entertainment Establishments/Nightclub Licences Issued and Renewed
Source: City of Toronto Municipal Licensing and Standards, 2018

Year	Entertainment Establishments/Nightclub Licences Issued/Renewed in Toronto
2008	48
2009	53
2010	55
2011	53
2012	54
2013	46
2014	43
2015	39
2016	39
2017	36



Live Music Venues

The City of Toronto does not license live music.

In 2015-2016, Economic Development and Culture developed a Toronto Music Directory to track the number of live music venues in the city. A live music venue is included based on an establishment's core purpose to present live music, history of presenting live music, presence of a dedicated stage or performance area with a public address (PA) system, and updated music listings on a website.

See Appendix 6: Map of Live Music Venues of 243 live music venues in Toronto in 2017. While most live music venues are located downtown (south of Bloor Street), some are located as far north as Steeles Avenue.

In terms of City of Toronto licensing regulations, the 243 live music venues identified through the Toronto Music Directory in 2017, operate under a number of business license categories. For example:

- 51% or over half of the live music venues (125 venues of the 243) were operating with an eating establishment/restaurant licence and are regulated as restaurants;
- 25% of live music venues operate under another licence category, such as a public hall, billiard hall, entertainment place of assembly, or place of assembly;
- 20% of live music venues do not operate with a business licence; and
- 4% of live music venues (10 venues of the 243) operate with an entertainment/nightclub business licence.

The City-wide Zoning By-law does not define a live music venue as a separate use, but they are permitted as part of the defined terms entertainment place of assembly, nightclub or eating establishment, depending on the nature of the business and its operations. As live music venues are regulated as something other than a live music

venue, i.e. as an eating establishment, there are concerns between business owners and the City of Toronto by-law enforcement officers in terms of enforcing the existing rules.

Overall, stakeholders said that a vibrant live music scene is crucial to the success of a city's nightlife. Many people, including resident stakeholders, wanted to see the protection of existing live music venues, creation of more live music venues in the city, including the establishment of more live music venues outside the downtown core.

Extension of Licensing Hours

The issuance of liquor licences is the sole authority of the Province of Ontario through the Liquor Licence Act. The City of Toronto has no jurisdiction over this.

In Toronto, Ontario, liquor licences are permitted to serve alcohol from 11 am to 2 am. There are two exceptions to this: on New Year's Eve, there is a 1 hour extension from 2 am to 3 am; and for special events, operators may apply for a 2 hour extension from 2 am to 4 am, (for events that are considered to have "municipal significance" by Toronto City Council), that is approved through the Provincial Alcohol Gaming Commission of Ontario (AGCO).

As directed by Economic Development Committee, the consultations did ask about extending last call, and several people consulted raised the issue during the meetings.

Temporary Event-Based Extensions

At this time, bars in Toronto may request an extension of hours of service from 2 am to 4 am, for an event of "municipal significance". It must be a live event and it must have some economic contribution to the city. In order to be granted an extension the event has to have either municipal, provincial and/or federal significance. This determination is made by either the city or the AGCO - Alcohol and Gaming Commission of Ontario. There is no criteria as to which bars can apply, and there is no cap on the number of events approved. It has been reported that bars pay event organizers to be included on their list.

Anecdotally, City staff say that the number of events that are granted extended hour of service has increased over the years. In March 2018 alone extension of hours of service have been approved for every week/weekend for "Men's Fashion Week", "Women's Fashion Week", and the "Canadian Film Festival".

An immediate concern raised by Toronto Police Service regarding the temporary extended hour of liquor service until 4 am is that Toronto Police Service is not part of the decision making process. When these extensions of hours of service occur it promotes the night-time economy, but it also puts a strain on Toronto Police Service staffing levels whether it be on-duty or call-backs. In order to promote a safe and vibrant nightlife scene it has to be staffed properly and adequately by not only the police, but by way of City departments such as Fire, Municipal Licensing and Standards, Waste Management.

Permanent Extensions

There was energized interest for extending last call by night-time business operators and nightlife patrons. The current 2 am last call is seen by some people as an impediment to the development of the night-time economy, and they believe it makes the city less competitive internationally. They felt that it would make it safer for patrons leaving venues if there was not a flood of people pouring into the streets at 3 am. It would also make illegal places currently operating after 2 am safer.

Observations during the Ride-Along on January 19, 2018 found that the current last call rules of 2 am allows operators to fulfill the service of 'last call' until 2:45 am, with the bars closing at 3 am. From 3 am - 4 am the streets are crowded with patrons that are lining up for late-night fast food such as hot dogs and pizza, and there is a traffic jam of vehicles as people find their way home through taxis or other ride share options. The streets are generally cleared by 4 am.

Toronto Police Service said that extending hours would require significant staff increases to maintain public safety, and it would require shifting operations to establish a stronger street presence within new timeframe.

Extending hours may increase the volume of calls that Paramedic Services responds to.

Public Health also cited concerns that as a drug, more exposure to alcohol would increase health risks. (A drug is a medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body. Alcohol is considered a drug.) Finally, residents groups recommended the City conduct a full cost-benefit analysis of extending hours before considering any changes.

Other Municipal Services Updates

Music Sector Development, Event Support and Tourism Services

In 2012, Economic Development and Culture Division formed a new section called Entertainment Industries. The Entertainment Industries section includes services for film permitting, film and music sector development, event support including the popular Winterlicious and Summerlicious restaurant dining program, tourism services, and ongoing work with the Toronto Film, Television and Digital Media Board (Film Board) and the Toronto Music Industry Advisory Council (TMAC).

Since 2013, the City of Toronto has actively started investing in the development of the music sector in Toronto. Through Economic Development and Culture Division, the City of Toronto has several programs to support live music in the city including music showcases and panel discussion series that features local artists, organizations, venues, events and presenters. In 2016 TMAC developed the City's first ever *Toronto Music Strategy* adopted by City Council. As well the Economic Development and Culture Division developed and maintains a Toronto Music Directory that tracks live music venues in the city.

Cultural Events and Public Art

For over ten years, the City of Toronto has invested in Nuit Blanche, a one-night event from 7 pm to 7 am of contemporary art installations and happenings. Other special events the City produces that enhances the city's nightlife includes Cavalcade of Lights, and New Year's Eve Celebrations. The City of Toronto also has several public art pieces that have a lighting component such as the *Luminous Veil*, installed on the Prince Edward Viaduct in 2015 as a legacy project of the Toronto 2015 Pan Am and Parapan Am Games.

TOcore: Planning Downtown

In 2014, the Office of the Chief Planner of the City of Toronto worked with five graduate students in the Masters of Science in Planning program at the University of Toronto to undertake a study of entertainment in downtown Toronto. The study called, *Not Zoned for Dancing: A Comprehensive Review of Entertainment in Downtown Toronto*, recommended the City review definitions of entertainment, undertake further data collection, mitigating potential conflicts between entertainment establishments and residents, promote entertainment diversity, and monitor the geographic distribution of entertainment uses.

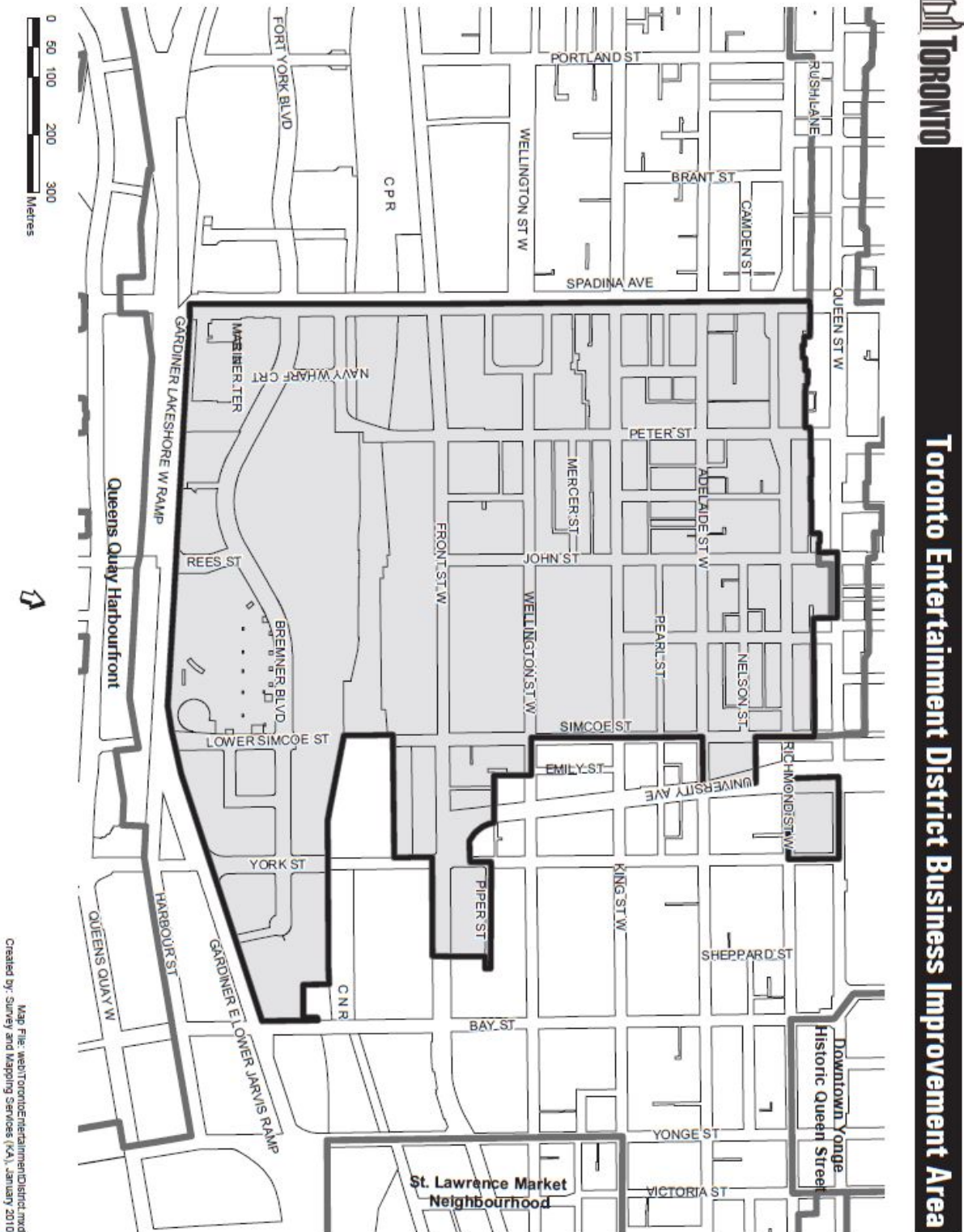
Through TOcore, a proposed new 25 year plan for Toronto's Downtown, there are draft recommendations that effectively introduce an 'Agent of Change' policy to protect live music venues and proactively address the responsibility of sound proofing for both residential developments and new live music venues in the downtown core.

Gaps

One gap identified through this process is the lack of information about the economic contribution of businesses operating in the city at night. Data gathered on jobs and businesses by the City of Toronto cannot accurately describe typical operating hours.

APPENDIX 4: MAP OF THE TORONTO ENTERTAINMENT DISTRICT BUSINESS IMPROVEMENT AREA

Map produced by City of Toronto. 2010

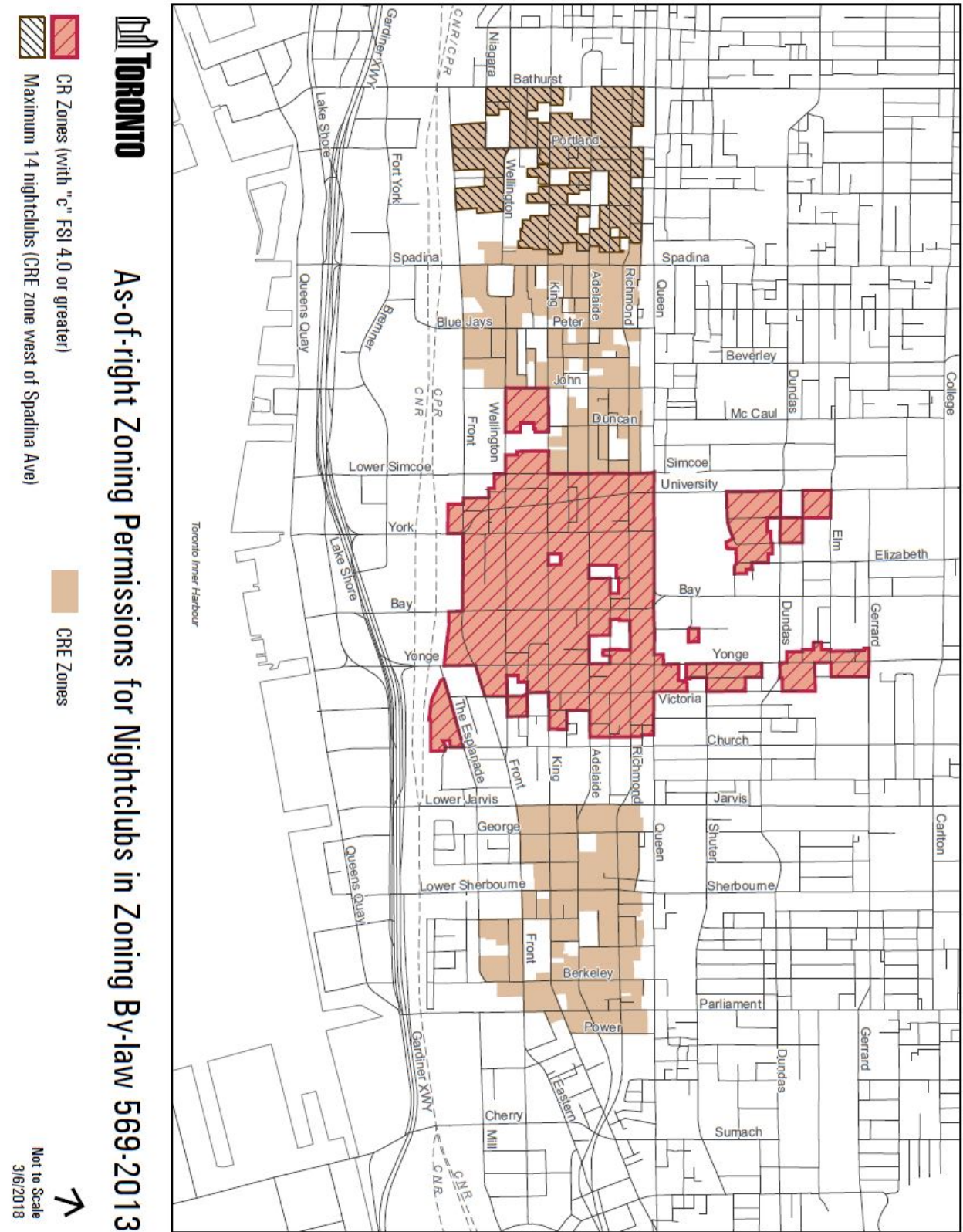


Toronto
Toronto Entertainment District Business Improvement Area

Map File: webTorontoEntertainmentDistrict.mxd
 Created by: Survey and Mapping Services (KA), January 2010

APPENDIX 5: MAP OF NIGHTCLUB PERMISSION AREAS IN BY-LAW 569-2013

Map produced by City of Toronto, City Planning. 2018



APPENDIX 6: MAP OF LIVE MUSIC VENUES

Map produced by City of Toronto, City Planning, using data from the Economic Development and Culture, Toronto Music Directory, Live Music Venues. 2017.

