

# Modernizing the Regulatory Framework for Bars, Restaurants, and Entertainment Venues, and Supporting the Night Economy

Municipal Licensing and Standards  
Economic Development and Culture  
City Planning

November 28, 2023



# Context and Purpose

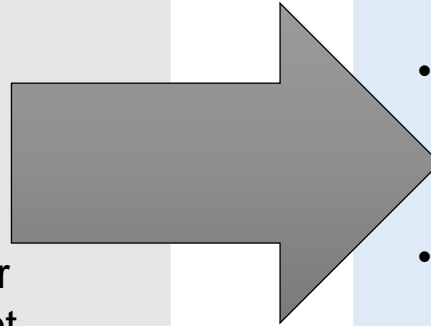
- **Toronto's thriving night economy** includes dining, community and special events, performing arts, recreation, live music, festivals, shift work, retail, transit and emergency services and employs **300,000+ people**.
- A major component of the sector includes **13,000+ licensed Bars, Restaurants, and Entertainment Venues**.
- To modernize the regulatory framework for these establishments, staff have submitted three complementary reports:
  1. [EC8.13](#): proposed licensing updates - *Municipal Licensing and Standards*
  2. [PH8.2](#): proposed zoning updates - *City Planning*
  3. [EC8.14](#): supporting the growth of the night economy – *Economic Development and Culture*



# Overview of Proposed Framework

## Current State:

- Outdated regulations do not align with evolution of nighttime culture and changing business models
- Confusion for businesses, enforcement challenges, health and safety risks, and community nuisance issues
- Licensing definitions are unclear, lack clear distinctions between categories, and do not align with zoning
- Zoning regulations restrict entertainment-related uses and where nightclubs are permitted



## Future State:

- Future focused licensing and zoning regulations that are clear, enforceable, and better reflect nightlife in Toronto
- Flexibility and support for businesses, with an appropriate level of regulatory oversight to mitigate nuisance and public safety issues
- Reduced administrative burden on low impact establishments
- More precise priority enforcement
- Equitable access to nightlife by permitting nightclubs city-wide in commercial zones (subject to conditions)

# Public and Industry Engagement

Engagement has been ongoing since 2018. In 2023 we heard from over 3,300 people.

## How did we engage?

- Online survey
- Seven targeted focus group meetings
- Four city-wide public consultations
- Opportunities to provide additional written feedback

## What did we hear?

- General desire for licensing and zoning that is ‘flexible, hybrid, adaptable, and preserves autonomy for the operator/owner’
- Strong support for an activity-based approach to licensing, e.g., requiring certain establishments to produce and abide by regulations that could help reduce community impact
- Most survey respondents (80%) agreed that nightclubs should be permitted outside the downtown core

# Proposed Licensing Updates: Clarifying and Modernizing the Rules

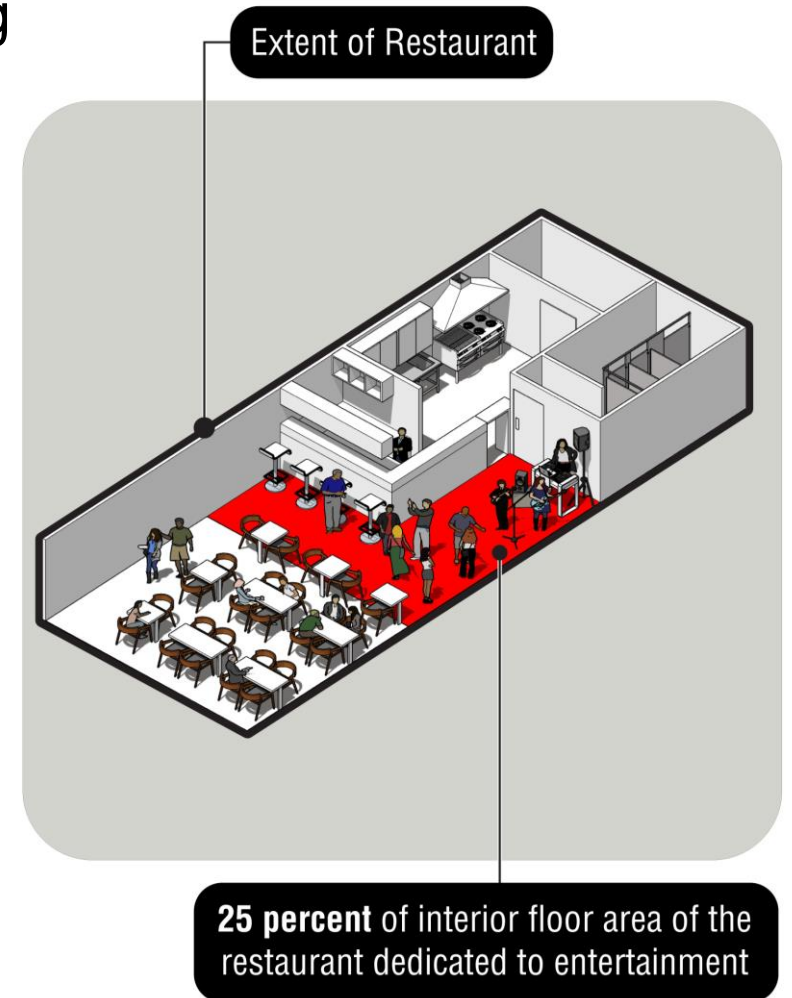
- Revising licence categories to reflect modern uses
- Aligning category definitions with zoning to ease compliance
- Removing licence and fee requirements for lower-impact businesses
- Right-sizing fees to reflect cost recovery principles

# Proposed Licensing Updates: Strengthening Compliance and Enforcement

- Implement Activity-Based Licensing to enable more effective inspections and enforcement
  - Activities that indicate higher impact (e.g. liquor licence) would put establishment in an “expanded activity” class, resulting in additional requirements (e.g. noise control plan, patron management plan)
- Approach helps prioritize enforcement resources for higher impact establishments and proactively mitigate nuisance and safety issues
- Addresses enforcement challenges identified in 2017 Auditor General’s report

# Proposed Zoning Updates

- Increase permitted maximum entertainment in eating establishments from 6% to 25% in:
  - mixed use zones; and
  - on major streets in employment industrial zones;
- Permit nightclubs City-wide in CR and CRE zones, subject to conditions:
  - Only permitted in a non-residential building;
  - Must be on first storey;
  - Maximum 400 m<sup>2</sup> when located close to residential zones; and
  - Maximum 1 nightclub per building;
- Reduce restrictions for amusement arcades and devices;
- Update definitions as required.



# Night Economy: Key Findings and Actions

## Key Findings

- Cost, transportation, and access to nearby activities are the most frequent barriers
- Support for nightlife offerings not centered on alcohol is widespread
- Conflict related to sound and noise is one of the biggest concerns
- Cultural producers use bars and restaurants but those outside the core are less likely to do so
- High cost of renting space and producing events are barriers

## Actions

All actions are captured within existing Council Direction

- Developing an inventory of City-owned spaces, collaborating to smooth permitting process, and exploring access to pop-up permitting and below-market-values spaces
- Entertainment Areas Outside the Downtown Core Report' adopted and distributed to stakeholders
- Resource Guide for Event Organizers published and distributed to stakeholders



# Supports for a Safe and Healthy Night Economy

- Producing 'Good Neighbour Guide for Late-Night Businesses' for inclusion, anti-harassment, creating safer spaces, and working environments, minimizing noise impacts
- Internal Working Group expanded to include SafeTO and TTC
- SafeTO and Our City, Our Health embedded in every element of Night Economy:
  - Town Hall, Good Neighbour Guide, and Resource Guide for Event Organizers
  - Festivals and Events webpage
  - All Night Economy communications including Night Economy webpage
- Outreach to independent harm reduction and safety groups
- Ongoing work with Internal and External Working Groups, developing supports within EDC's scope.
- Work with relevant Divisions and partners to engage regarding nighttime transportation, lighting, and access to public washrooms.

# Next Steps

