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To: Planning and Housing Committee:

- Councillor Gord Perks (Chair)
- Councillor Brad Bradford (Vice Chair)
- Councillor Josh Matlow
- Councillor Jamaal Myers
- Councillor Frances Nunziata
- Councillor Michael Thompson

PH8.2 - Recommended Amendments to Zoning By-laws for Bars, Restaurants and Entertainment Venues as part of the Night Economy Review - Final Report - City Council amend City-wide Zoning By-law 569-2013

Having a night economy in Toronto is a good idea. But it is an idea that has to be conditional based on the neighbourhood that the changes are for. The night economy is not one size fits all. Long Branch has a few entertainment venues (Sloppy Joes, Legion 101, South Side Johnny's and Timothy's) that support live music and they are an important part of the community and also patronized by the local community. Long Branch did have one dance club, entertainment venue (The Port House), that was a destination venue and not heavily patronized by locals. Many of the patrons did not respect the low rise neighbourhood that it abutted and the establishment had constant noise complaints, from their back of establishment patio, as they played loud music till 2:00 am. Requiring patios to be located at the front of establishments and not above grade, unless there is at minimum a 40 meter buffer between residential properties is an important needed addition for the night economy and would show respect for adjacent

neighbourhoods with residents who work during the day and need to sleep at night and an understanding that one size does not fit all.

One of the best arts/music colleges in Canada is adjacent to Long Branch. As a way to support the night economy, the city should be engaging with the students to entertain at local establishments. Having the night economy encourage the building of smaller, more intimate, neighbourhood venues, with live music, would be a way to support their future careers and would be a good fit for Long Branch.

Many cities, including Vancouver and Austin, with a vibrant night economy have strict noise regulations and restrictions on where entertainment venues can be. Creating strict noise by-laws is a step that the city has skipped and should be completed before the changes to Zoning By-laws and locations of venues are made.

Noise is already a great issue as the city received 10,000 noise complaints for amplified sound last year. This issue needs to be addressed with more enforcement and fines including the hiring of more enforcement officers before PH8.2 is approved.

Changing the By-Laws to allow night clubs up to 400 sq meters, to be within 6.1 meters of residential neighbourhoods, is very disrespectful of neighbourhoods. Who on this committee would like to have loud music playing until 2:00 am 5 + days a week? The current restrictions for eating and drinking establishments within 6.1 meters of residential neighbourhoods are that they can be 400 sq meters but only 6% of the space can be for entertainment. Changing the focus from food to drink will change the clientele and atmosphere and noise levels. Using the criteria for eating and drinking establishments to apply to entertainment venues is not using the criteria as it was meant to be.

The UK has produced case studies (<https://www.local.gov.uk/publications/approaches-managing-night-time-economy>) that show how strong involvement with many levels of government is needed to have a successful night economy. They talked about how the night-time economy can be associated with issues, predominantly around alcohol fuelled violence and crime and anti-social behaviour. They realized that addressing the various challenges that present themselves in the night-time economy is not something that councils can do alone.

They documented that it is important that partnerships are in place and staff is allocated to support the local communities.

The statement in PH8.2 regarding Financial Impact clearly states that no partnerships have been created and no staff has been allocated to support the issues that would be generated by moving night economies into residential neighbourhoods.


“The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as contained in the Financial Impact Section.”

The LBNA request that item PH 8.2 be deferred as the city’s own planning process has not been followed. Section 5.5.1.c.iv states that “Fair and Open and Accessible public process for amending implementing and reviewing this plan will be achieved by: providing adequate and various opportunities for those affected be informed and contribute to planning process ensuring that the draft Official Plan amendments are made available to the public for review at least twenty days prior to statutory public meetings and endeavoring to make draft by-law available for review at least 10 days prior statutory public meetings ...” (Figure 1 - Official Plan 5.5)

The city must engage and properly consult with all the proposed affected neighbourhoods to form a partnership for a Night Economy to work and be successful. Change is expected but must comply with rules and regulations that are the result of this partnership. Having a one size fits all and not consulting with neighbourhoods does not address the equity issues and the goals of a Night Economy for the City.

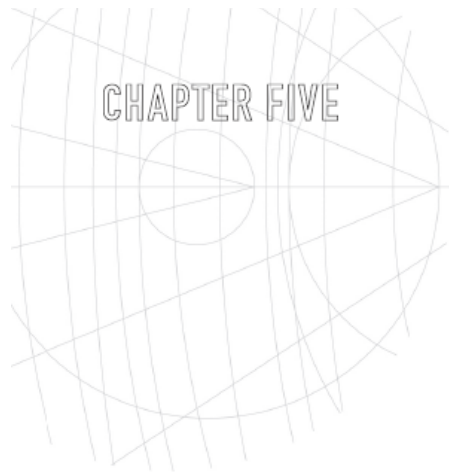
This amendment, in its current form, should be deferred and revised to incorporate feedback from the affected communities that have not been involved so they are given the opportunity to contribute, review, understand and give feedback on the content of the changes as required by the official plan.

Sincerely,

A handwritten signature in black ink that reads "Steven Vella". The signature is written in a cursive, flowing style.

Steven Vella
Vice Chair
Long Branch Neighbourhood Association

Figure 1 - Official Plan 5.5



Information and materials to be made available to the public for review will be provided upon request in electronic and/or paper copy form at a fee not to exceed the City's actual cost in providing such information or material.

Schedule 3 outlines the City requirements for complete applications. When seeking development approvals from the City, applicants should also refer to "Building Toronto Together – A Development Guide" which outlines the City's development review processes. In addition to the requirements of the *City of Toronto Act*, *Planning Act* and/or Regulations, the City may require additional information to properly evaluate an application. Complete application requirements may be discussed during pre-application consultation.

Policies

1. Public Involvement

A fair, open and accessible public process for amending, implementing and reviewing this Plan will be achieved by:

- a) encouraging participation by all segments of the population, recognizing the ethno-racial diversity of the community and with special consideration to the needs of individuals of all ages and abilities;
- b) promoting community awareness of planning issues and decisions, through use of clear, understandable language and employing innovative processes to inform the public, including the use of traditional and electronic media; and
- c) providing adequate and various opportunities for those affected by planning decisions to be informed and contribute to planning processes, including:
 - i. encouraging pre-application community consultation;
 - ii. holding at least one community meeting in the affected area, in addition to the minimum statutory meeting requirements of the *Planning Act*, for proposed Official Plan and/or Zoning By-law amendments prior to approval;
 - iii. ensuring that information and materials submitted to the City as part of an application during the course of its processing are made available to the public; and
 - iv. ensuring that draft Official Plan amendments are made available to the public for review at least twenty days prior to statutory public meetings, and endeavouring to make draft Zoning By-law amendments available to the public for review at least ten days prior to statutory public meetings, and if the draft amendments are substantively modified, further endeavouring to make the modified amendments publicly available at least five days prior to consideration by Council.

2. Mandatory Pre-Application Consultation and Complete Applications

A pre-application consultation meeting with City staff shall be required prior to the submission of an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and/or Site Plan Control Approval, in accordance with the pre-application consultation by-law pursuant to the *Planning Act* and the *City of Toronto Act*. Applications to amend the Official Plan, to amend the Zoning By-law and applications for Plan of Subdivision, Plan of Condominium or Consent to Sever will comply with the statutory complete application submission requirements of the *Planning Act* and the requirements identified in Schedule 3.

In addition, applications for Site Plan Control Approval should satisfy the submission requirements identified in Schedule 3.