

Night Economy Review: EDC, MLS, and Planning

Presentation for Toronto East York Community Council

April 12, 2023



Purpose of this Presentation

- This presentation will respond to two motions from the February 23, 2023 meeting of Toronto East York Community Council ([TE 3.14](#)) requesting:
 - EDC request VibeLab be present to discuss consultation plan;
 - Thorough and robust consultation with resident, neighbourhood and community associations in the Toronto and East York boundaries, and an update on progress to date.

Presentation History

EDC presented to Toronto East York Community Council on the Night Economy on February 23, 2023 in response to motion TE3.14, requesting a presentation,

“on the status of the work toward developing the Night Economy Action Plan, specifically the consultation plan including schedule of and approach to public engagement including outreach and areas of enquiry, involvement of relevant City Divisions, and approval schedule for resulting reports across Divisions and through the consultant.”

Decision History

Framework for the Review of Licensing and Zoning Regulations for Restaurants, Bars and Entertainment Venues ([EX28.15](#), December 2021)

- MLS and City Planning were directed to report back with proposed Bylaw amendments to modernize and clarify licensing and zoning regulations for entertainment venues, and work with EDC to consult with relevant stakeholders as part of the report back.

Strengthening Toronto's Nighttime Economy ([EC6.8](#), July 2019)

- EDC was directed to create a nighttime working group, align with MLS and City Planning on the review of licensing and zoning regulations, seek advice from nightlife and creative organizers on enhancing inclusive social culture, conduct a Nightlife Industry Town Hall, identify emerging entertainment areas outside of the downtown core, develop a safer venue industry guide, etc.

Desired Outcomes of Review

The Review aims to:

- Modernize outdated licensing requirements and categories for bars, restaurants, and entertainment venues to better reflect evolving business models, improve enforcement efforts, and more effectively address public safety, health, and community nuisance issues.
- Support business activity and cultural animation by increasing flexibility for entertainment uses to a reasonable degree in some establishments across Toronto, so that zoning and licensing regulations are more easily understood and consistently applied.
- Ensure that zoning and licensing regulations are aligned and working in a more coordinated fashion to provide clarity to businesses and enforcement staff.
- Create opportunities for stakeholder and public input to inform the City's longer term goals in sustaining and enhancing Toronto's night economy.

What Might Change as a Result of the Review?

Zoning:

- Nightclubs may be zoned for areas outside the downtown area
- Restaurants may have more space for performance, to a reasonable degree.

Licensing:

- Businesses may have to secure a different licence type and meet more stringent regulatory requirements (depending on the activities of the business). The goal is that licensees with a higher impact - as determined by their business activity – receive an increased level of regulatory and compliance oversight, whereas licensees with a lower impact can benefit from reduced regulatory burden.
- The Licensing Bylaw will clarify its definitions for these establishments, for example – aim is to be more clear about the delineation between an eating establishment and a nightclub to support enforcement and mitigate community nuisance (the Auditor General has identified issues of regulatory uncertainty resulting in some eating establishments operating as unlicensed nightclubs).

Timeline:

- Any changes would have a significant timeline for implementation – no changes will be immediate and there will be appropriate grace periods for compliance (allowing time for other divisions to coordinate associated work) – this is about filling the gaps in our regulatory structure, so it is more sustainable and flexible.

Consultation Update

The consultations are structured to be both highly targeted, allowing for depth of insight from impacted stakeholders, while also being inclusive of the breadth of perspectives related to these directives and activity at night.

Completed	Currently Active
• 7 targeted consultations with specific groups, including: • Restaurants • Bar and nightclub owners and operators; • Members of Business Improvement Areas (BIAs); • Artists, cultural organizations and DIY event producers; • Live music venue owners and operators; and • Residents Associations and Community Organizations (One session for TEY District, and one session for Etobicoke, North York, Scarborough)	• 3 city-wide public consultations (April 12, 13 and 17) • An online survey (open until April 21) • Engagement with TPS, TPH, Paramedics, the AGCO, and other internal stakeholders

Consultation Format

The consultation format is similar for targeted and for public consultations.

- Consultations started with a presentation by City staff, laying out the Council-approved directives, resulting objectives, and questions from participants.
- Consultation groups broke into smaller breakouts facilitated by VibeLab, which staff did not attend to ensure frank discussion.
- Participants also contributed to online interactive display boards that captured all feedback
- Staff returned at the end of the breakout sessions to answer any questions.
- All participants were encouraged to also complete the online survey.
- Targeted consultation groups were limited to 16 participants with 2 breakout groups to ensure all had a chance to speak.
- Public consultations are limited to 60 participants, and up to 5 breakout groups to capture feedback.

Consultation Content

The consultations focus on issues related to the review of zoning and licensing as well as broader night economy issues. TPS and TPH reviewed the questions and invitation lists.

Questions related to:

- Validity and relevance of existing by-law categories relative to current business uses, including the differences between restaurants, bars, and nightclubs
- Noise, public safety and community nuisance concerns, and measures needed to respond effectively
- Use of interior space of licensed businesses, such as entertainment areas within eating establishments (restaurants)
- Approaches to zoning and potential location for nightclubs outside the downtown area
- Approaches to employee and customer safety, good neighbour practices, and respectful community relations
- Access to culture, opportunities and barriers for cultural spaces, DIY events, activities not involving alcohol, and creating an inclusive night economy
- Challenges in getting around the city at night, including availability of public transit

Outreach

Targeted Consultations:

Location, DEI profile regarding ownership and audience, business model (restaurants), venue size, genre of performance/music, etc.

Public consultations and the online survey were promoted using the following:

- Notice to Councillors, including content to promote to constituents
- Inclusion in BusinessTO and CultureTO newsletters
- News release circulated by SPEC
- City social media platforms, including targeted paid promotion
- VibeLab engagement with local partner organizations to broaden reach
- Direct email from MLS and City Planning to businesses and Residents Associations
- Direct email outreach from EDC to music and hospitality industry organizations

Outreach (continued)

Members of the Night Economy Internal Working Group were also asked to provide lists of stakeholders who should be invited to public consultations and to contribute to the online survey. Members of the Internal Working Group are:

Toronto Police Services

Toronto Public Health

Toronto Fire

Toronto Building

Toronto Paramedics Services

Transportation Services

Additional outreach was made and will be ongoing with the Alcohol and Gaming Commission of Ontario. With the support of VibeLab, invitations were also made to harm reduction services, unions, youth through non-profits and educational institutions, hospitality and tourism and others.

Outreach to Toronto and East York

Toronto and East York Residents Associations participated in a targeted consultation, capped at 16 participants to ensure each had time to speak.

- 105 were invited
- Timeline: 20 days between invitation and event
- 19 Residents Associations confirmed attendance, of which 5 did not actually attend.
- Generally, 2 or 3 Residents Associations from each ward participated, except Ward 19
- Two umbrella organizations participated as well: CORRA and FONTRA.

Stakeholders from Toronto East York were also invited to each of the targeted consultations for Restaurants, Bars and Nightclub owners and operators, members of BIAs, artists and DIY event producers, live music venue owners and operators.

The upcoming public consultations have also been widely promoted, as has the online survey.

Outreach (cont'd)

Outcomes:

Each of the 7 targeted sessions was at or near capacity.

The three public consultations are well-subscribed:

April 12 – full

April 13 – 80% full

April 17 – 90% full

Online survey: 2,400 partial completions, 1,400 full completions

Next Steps

April	Consultations and survey conclude
May/July	VibeLab writes report summarizing feedback from consultations Early drafts shared internally with MLS, Planning and EDC. MLS, Planning and EDC to meet with the Internal Working Group to review content, potential proposals, and any issues or concerns to consider.
June	A public information session will be held, led by MLS and Planning, to communicate major themes of the feedback received during the consultations, with additional opportunities to provide input
July	VibeLab delivers final report to staff
August	MLS and Planning continue to draft reports, consulting with Internal Working Group
September	MLS submits report on review of licensing for restaurants, bars and entertainment venues to Economic and Community Development Committee City Planning submits report on zoning for nightclubs outside the core to the Housing and Planning Committee VibeLab report is appended to both staff reports
October	Staff reports go to Council
November	EDC conducts Night Economy Town Hall

Next Steps (continued)

Night Economy Town Hall

As directed by Council, (EC6.8) EDC will host a Night Economy Town Hall. Taking direction from Council and benefitting from the consultations, the Night Economy Town Hall could discuss:

- What does inclusion at night look like?
- How can we support night economy stakeholders in enhancing existing harm reduction practices, employee safety, customer safety, responsible consumption, and respectful relationship to community as shared responsibilities for all proponents of activity at night?
- How to facilitate access to culture, including DIY events, in safe and sustainable ways for artists and audiences across Toronto?
- Access to transportation and enhanced access to public washrooms
- What should our goals be for different parts of the night?
- Feasibility of 24 hour licensed venues in suitable locations including possible multi-disciplinary uses featuring galleries, co-working spaces or bars

Any proposed new initiatives, policies or programs arising from the Town Hall would be subject to committee and Council approval.

Thank you

