



# Public Information Session

June 5, 2023

# NIGHT ECONOMY REVIEW

# Agenda

1. Background
2. A message from Night Economy Champion, Councillor Paul Ainslie
3. Current Context and Public Engagement Process
4. Survey Findings
5. Consultation Findings
6. Next Steps
7. Questions

# Land Acknowledgement

We acknowledge the land we work on is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis. We also acknowledge that Toronto is covered by Treaty 13 with the Mississaugas of the Credit.

# African Ancestral Acknowledgement

The City of Toronto acknowledges all Treaty peoples – including those who came here as settlers – as migrants either in this generation or in generations past - and those who came here involuntarily, particularly those brought to these lands as a result of the Trans-Atlantic Slave Trade and Slavery. We pay tribute to those ancestors of African origin and descent.

# Background

## Night Economy Review

As directed by City Council, this review aims to:

- modernize and clarify licensing and zoning regulations
- support businesses, while ensuring an appropriate level of regulatory oversight; and
- support live music, entertainment, and social culture at night

## Purpose of this session:

- **Provide information** to the public and industry on work completed to date, including top-line summaries of information from an online public survey and consultation sessions that have been conducted
- **Outline next steps and timing** for the review
- **Answer any additional questions** you may have

# Who's Who

## Municipal Licensing and Standards (ML&S)

***Focus: business licensing***

Responsible for business licensing and enforcement of licensing and zoning regulations

## City Planning

***Focus: zoning***

Responsible for amending the Zoning By-law which regulates where buildings can go, and what “uses” can be placed within them

## Economic Development & Culture (EDC)

***Focus: cultural and business development***

Helps Toronto's business and cultural interests thrive, advancing prosperity, opportunity and liveability

# Project Timeline

## Anticipated timelines (TBD)

**2019**

A staff report, [Strengthening Toronto's Nighttime Economy](#), outlined recommendations to enhance Toronto's night economy

**March-May 2023**

Public and industry consultations were conducted to support the review, along with an online public survey

**Sep. 2023**

ML&S and CP staff to host public briefing on recommended zoning and licensing by-law amendments

**Dec. 2023**

EDC to host Night Economy Town Hall on longer-term approaches to support the night economy

**2021**

Staff provided a [framework report](#) to modernize and clarify zoning and licensing regulations and proposed plans for consultations with industry and the public

**June 2023**

Night Economy Review Information session

**Oct. 2023**

ML&S and CP staff will bring final reports with zoning and licensing amendments



# A pre-recorded message from Night Economy Champion, Councillor Paul Ainslie







# Current Context and Public Engagement Process



# Current Context

## **Licensing and zoning:**

- Regulations are outdated and need to be modernized
- Current zoning rules restrict nightclubs to the downtown area and limit the entertainment area inside of a restaurant to 6% of its floor space

## **Economic and cultural development:**

- The City's night economy needs support to help foster its growth, and to strengthen the ability of nighttime businesses to survive and thrive while continuing to recover from the pandemic

# Public Engagement Process

## The following were conducted:

- An **online survey** (open from March 27 to April 21)
- Seven targeted **focus group meetings**;
- Three **city-wide public consultations** (April 12, 13, 17); and

**VibeLab**, a purpose-driven consultancy agency focused on all things at night, facilitated meetings and public consultations on behalf of the City

# Overview of consultations

## Seven focus groups

- 1. Owners/operators of restaurants;
- 2. Owners/operators of bars, nightclubs, and entertainment venues
- 3. Representatives of Business Improvement Areas (BIAs);
- 4. Artists, DIY, event producers, cultural events and spaces;
- 5. Music industry, performance, and live spaces
- 6. Residents' Associations (Scarborough, North York, Etobicoke, York);
- 7. Residents' Associations (Toronto-East York)

## Three city-wide public consultations

- Two virtual sessions and one in-person at City Hall

# Survey Findings



# Survey Overview

- The survey was open from **March 27 - April 21**, and received more than **2,500** fully completed responses
- Survey questions were directed towards three different groups: **1) business owners/operators, 2) cultural event organizers, and 3) residents**
- 60% of fully completed responses included voluntary demographic data, for example:
  - 67% are between the age of 30 to 54
  - 77% live in a household of no more than two people














# What is a nightclub?

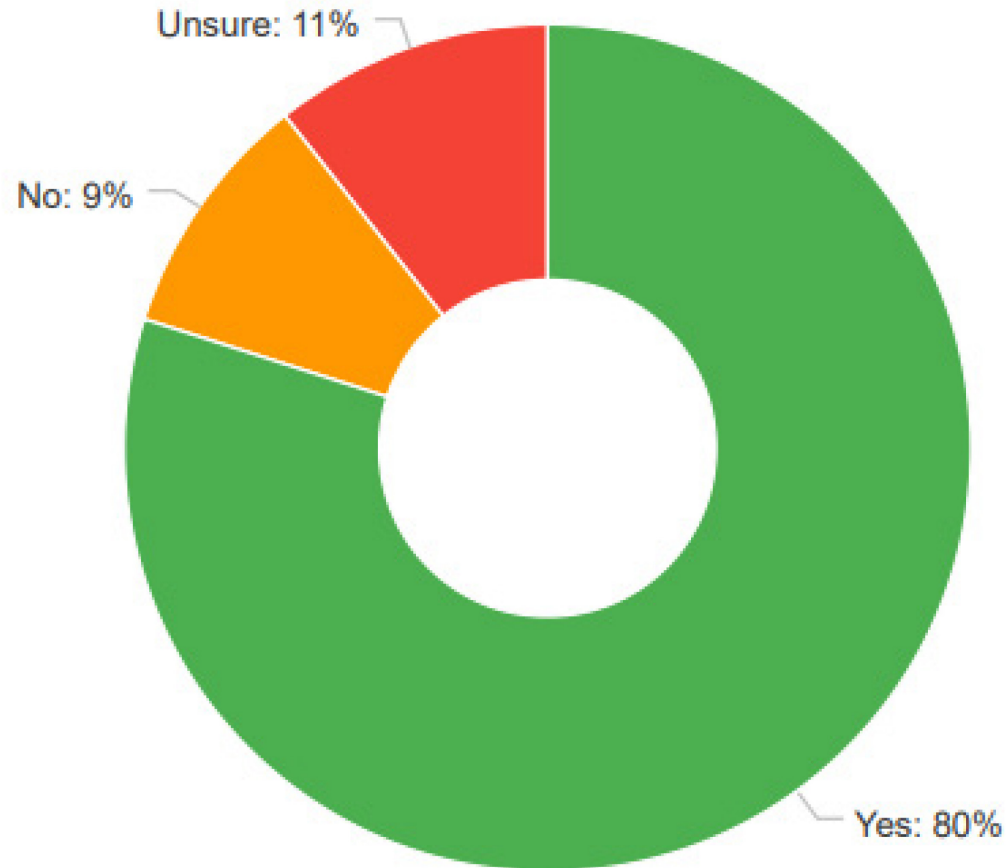
**Question:** In your opinion, under what circumstances should a business be described as a “nightclub” instead of a “restaurant” or a “bar” (select all that apply)

Survey respondents identified: **1) dance floor/entertainment area, 2) limited food options, and 3) loud music** as the top three criteria

# What is a nightclub?

	Count	% of responses	%
When there is a large, dedicated area for dancing or other entertainment	1.6k		62%
If food service is limited in choice or time, or not available at all	1.3k		50%
When music is at a level that interferes with normal conversation	1.2k		46%
When the business is open late at night or early into the morning	1.1k		44%
A cover charge or entry fee is required to enter the premises	1.1k		44%
When the business is not open during the day	1.0k		40%
If there are very limited seating options	991		38%
When bottle service is offered (the sale of liquor by the bottle)	936		36%
When there is an entry queue (line-up) to enter the premises	704		27%
There is no way to determine the difference between a nightclub and a restaurant	251		10%
Other (please specify)	215		8%

# New areas for nightclubs



**Question:** Nightclubs are generally permitted in the downtown area only. Do you think nightclubs should be permitted outside the downtown area?

Most survey respondents (80%) agreed that **nightclubs should be permitted outside the downtown core.**

# New areas for nightclubs

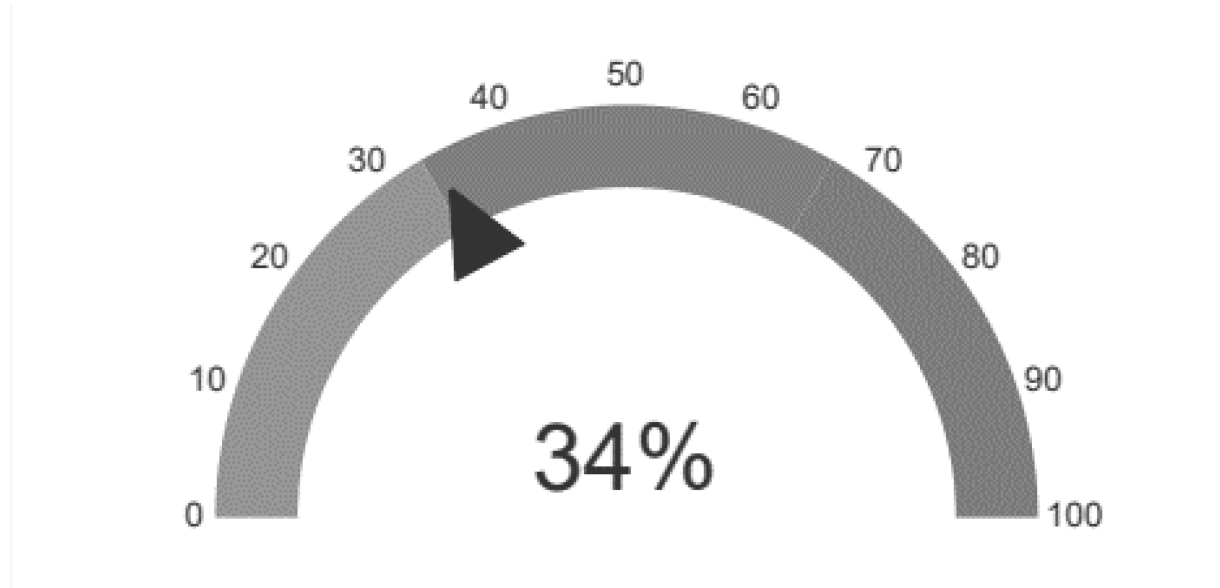
**Question:** If nightclubs were to be permitted outside the downtown area, in which other areas what areas do you think they would be most appropriate? (Select all that apply)

	Count	% of responses	%
Along main streets with existing stores, restaurants, and other businesses	2.0k	<div></div>	83%
Near rapid public transit stations (like subway, GO train, and Light Rail Transit stations)	1.8k	<div></div>	75%
In commercial plazas (sometime called "strip plazas or strip malls")	1.3k	<div></div>	52%
In malls	868	<div></div>	36%
An area not described above (please specify)	471	<div></div>	20%
Unsure	140	<div></div>	6%

Survey respondents identified: **1) main streets, 2) near public transit, and 3) commercial plazas** as the top three appropriate locations for new nightclubs

# Entertainment in restaurants

- Currently, the City restricts entertainment uses (e.g., dance floors, stages, DJ booths) in eating establishments to 6% of the interior floor area.
- **Question:** In your opinion, how much space (as a percent of the interior floor area) inside an eating establishment is needed for entertainment-related activities, like those listed above?



Survey responses indicated that an average of **34% of the interior floor area of eating establishments should be permitted for entertainment uses.**

# Participating in nighttime activities

**Question:** What barriers do you face in participating in nighttime activities, whether it be entertainment, cultural, social, or for work? (Select all that apply)

Respondents identified: **1) cost, 2) transportation, and 3) a lack of access to activities near them** as the three main barriers to their participation in nighttime activities

	Count	% of responses	%
Cost	1.6k	<div></div>	53%
Transportation	1.4k	<div></div>	48%
Access to activities near me	1.1k	<div></div>	36%
Safety	977	<div></div>	33%
Access to inclusive activities and/or spaces	616	<div></div>	21%
Other (please specify)	517	<div></div>	17%
I do not face any barriers	409	<div></div>	14%
Suitability for families	250	<div></div>	8%

# Safety and nuisance concerns

**Question:** As a customer or patron, how often have you had safety or nuisance concerns while visiting a restaurant, bar, nightclub, or other entertainment venue? What was the nature of the issue(s) you have experienced? (Select all that apply).

- Just over half (**52%**) of survey respondents reported **never or rarely** having a safety or nuisance concern while visiting a venue, while **48% reported frequent or occasional concerns**
- **Most common issues cited:** difficulty getting home, overcrowding, unlawful or anti-social activity (for example: public urination or fights), concerns about security and excessive sound levels








# Safety and nuisance concerns (continued)

	Count	% of responses	%
Difficulty getting home afterward (for example: limited public transit, challenges finding taxi or ride-share such as Uber)	1.7k	<div></div>	66%
Overcrowding	977	<div></div>	39%
Unlawful or anti-social activity (for example: public urination, fights)	811	<div></div>	32%
Concerns about security	804	<div></div>	32%
Excessive sound levels	657	<div></div>	26%
Physical accessibility of the venue (for example: no wheelchair ramps, inadequate lighting inside or outside venue)	387	<div></div>	15%
Other (please specify)	337	<div></div>	13%

# Minimizing safety issues

**Question:** What measures should be used by businesses to reduce or minimize nuisance or public safety issues? (Select all that apply)

Survey respondents identified: **1) measures to control noise, 2) security guards, and 3) measures to control crowds** as priorities to minimize public safety issues.

	Count	% of responses	%
Measures to control noise (for example: sound insulation and soundproofing, sound limiting equipment)	1.4k		53%
Security guards	1.2k		45%
Measures to control crowds (for example: mandatory queuing, barricades)	1.1k		42%
Other (please specify)	740		28%
Metal detectors	514		19%

# Nightlife Contribution to the City

**Question:** In your opinion, how do bars, restaurants, entertainment venues, and nighttime culture contribute to the vitality, livability, and economy of the city?

- "Not only providing social activities for the greater society, they also offer countless jobs in busy city centres"
- "A place to meet up with friends"
- "They give places where those who are isolated can go to find other people"
- "A place to de-stress"
- "We need stimulating things to do at all hours of the day and night"
- "A city is nothing without its nightlife"

# Findings from Consultation Meetings





# Feedback themes

- 1) Licensing and zoning flexibility
- 2) Noise and good neighbour practices
- 3) Safety and inclusivity
- 4) Obstacles to a fully diverse and inclusive nightlife
- 5) Role of the City in supporting nightlife

# 1) Licensing and Zoning Flexibility

- Operators stressed their top priorities for licensing, zoning, and other regulatory reforms: preserving as much **flexibility, hybridity, adaptability** and **autonomy** as possible.
  - **Eating establishment operators would like the ability to use their space for entertainment**, as it allows them flexibility in the face of change
  - As highlighted in the survey, **operators believed the 6% rule did not make sense**, and was especially limiting for small businesses
- Operators believe that **licensing should enable multiple uses within one establishment**

# 1) Licensing and Zoning Flexibility (continued)

- Many operators across sessions suggested creating a **tiered licensing system** with associated regulations for specific uses
- During this review, there was concern among operators that **incompatible licensing could cause over-regulation** or contention with neighbours and city bylaw enforcement



## 2) Noise & Good Neighbour Practices

- **Noise is one of the biggest shared concerns.**
- Participating operators described proactive efforts to be good neighbours and shared concerns about enforcement practices that may not be fully understood or consistently applied.
- On the other hand, residents recounted concerns with existing noise regulations, current complaint pathways, and venues allegedly violating noise rules consistently without consideration for the surrounding neighborhood.
- Participants noted that it is not always the general sound / decibel level that is the primary noise issue, but also vibrations from bass, particularly if the venue is in the same building as residential units.

## 2) Noise & Good Neighbour Practices (continued)

- Residents hoped to see additional enforcement, mediation for businesses and residents, financial assistance for noise insulation, and broader application of the existing Agent of Change principle
  - The **Agent of Change** principle is a broad set of urban planning guidelines followed by many cities worldwide. Toronto adopted its own version of Agent of Change in 2017 to help protect existing live music venues from conflicts with newer nearby residential developments.

### 3) Safety and Inclusivity

- **Participants strongly support more nightlife offerings not centered on alcohol**, allowing for more all-ages and intergenerational participation
  - However, the potential lack of profitability and high financial risk associated with non-drinking events is a concern for operators, as many events and businesses depend on alcohol sales as an important source of revenue.
- Participants outside downtown Toronto pointed out that **late-night public transit is severely limited**, presenting issues for audiences and workers to travel safely home after attending nighttime events.
- Participants expressed **varied feedback regarding policing**

## 4) Obstacles to a fully diverse and inclusive nightlife

- **Operators mentioned displacement by residential development as an important concern**, while residents also noted that independent establishments seem to be increasingly replaced by international chains and franchises.
- Consultation staff observed **significant stigma against nightclubs and nightlife**. Many participants were quick to associate nightlife with **crime, nuisance, and noise**, rather than recognizing the full breadth of life at night.
- Participants believe that **safeguarding affordable spaces for nightlife and cultural gatherings outside of downtown** is a priority for protecting marginalized communities.

## 5) Role of the City in supporting the night economy

- To help lay the groundwork for a more equitable, inclusive night economy, participants suggested:
  - **More opportunities for entertainment throughout the city**, including how businesses use their space to provide entertainment to their customers
  - **Increased access to physically accessible, affordable and flexible space** (including permanent outdoor space and space for pop-up events)
  - **Streamlined temporary event permits** and ability for the City to respond to requests to hold temporary events in “unconventional spaces”
  - **Engagement with local councillors** to encourage regional or neighbourhood-based cultural activities

## 5) Role of the City in supporting the night economy (continued)

- Many of the needs participants stated cannot be achieved by regulatory changes to licensing and zoning and are instead **infrastructure and service related**. These include:
  - More public washrooms;
  - More frequent transit service to all areas of the City; and
  - Better street lighting, or more pedestrian-scaled (oriented to the sidewalk) lighting

# Next Steps





# How feedback will be considered

- All feedback will be reviewed in relation to existing provincial and municipal policies and regulations, including but not limited to:
  - Provincial Growth Plan, Provincial Policy Statement, Toronto Official Plan
  - City of Toronto Act
  - Alcohol and Gaming Commission of Ontario (AGCO) regulations
  - City Council actions and directives
  - Toronto Nightlife Action Plan
  - Toronto Music Strategy

# MLS and City Planning staff reports

- MLS and City Planning intend to submit separate but associated staff reports to Standing Committees in **October 2023**:
  - ML&S's report to the Economic and Community Development Committee will recommend changes to the Licensing By-law
  - City Planning's report to the Planning and Housing Committee will recommend changes to the Zoning By-law
- Prior to Standing Committees, ML&S and City Planning will conduct a **technical public briefing** on draft amendments to the Licensing and Zoning bylaws
- Interested parties can make deputations to Standing Committees and submit written feedback on the reports

# Night Economy Town Hall

As directed by Council, EDC will host a Night Economy Town Hall in December 2023 to discuss the longer-term changes needed to support vibrancy and inclusion in nightlife.

Topics may include:

- *Inclusive Nightlife*
- *Access to Culture/DIY Events*
- *Harm Reduction & Nightlife*
- *Resources and Processes for Event Organizers*

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

# Stay in the know

In addition to engaging with us at our session today, there are other ways to provide feedback and be informed of future events:

## **Subscribe to updates**

- Sign up for our mailing list at the bottom of the City's Night Economy Review webpage to receive updates and information. Visit [toronto.ca/nighteconomy](https://toronto.ca/nighteconomy)

## **Email Feedback**

- Please email any questions you may have to [nighteconomy@toronto.ca](mailto:nighteconomy@toronto.ca), and send any feedback by June 30.

# Questions

Please insert your questions in the WebEx Q&A Function



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