

City's Position on Possible Changes to Alberta Gaming and Liquor Commission's Rules (B. Henderson)

Recommendation:

That the May 23, 2017, Sustainable Development report CR_4336, be received for information.

Report Summary

This report identifies previous work undertaken by Administration with respect to potential changes to extend closing hours for establishments with live music, identifies what would be required to provide a response regarding potential operating hour changes to establishments with live music by the Province of Alberta, and identifies concerns and advantages of a potential related pilot by the Province of Alberta.

Previous Council/Committee Action

At the December 13, 2016, City Council meeting, Councillor B. Henderson made the following inquiry:

It is our understanding that the Province is considering possible changes to the Alberta Gaming and Liquor Commission rules to extend closing hours for establishments with live music. The proposal is to move forward through a number of localized pilot initiatives to test the effectiveness and consequences of the change. They are unlikely to move forward without a response from the City. That Administration provide a report on the City's position on possible changes to the Alberta Gaming and Liquor Commission's rules to extend closing hours for establishments with live music, that includes the following:

1. What work has the City done on this issue?
2. What would need to happen to be able to respond to the Province?
3. What are the known concerns and advantages of moving forward with such a pilot?

Report

The extension of current operating hours for licensed venues with live music is being explored by the Alberta Gaming and Liquor Commission as one strategy to better support live music within the Province. Alberta Gaming and Liquor Commission

recognize that making a change of this scale would have many impacts and ramifications. Alberta Gaming and Liquor Commission has indicated they would not extend current operating hours without consultation.

Background

The City of Edmonton Business Licensing Bylaw does not regulate businesses' operating hours (with some exceptions for body rub centres). Businesses are allowed to set their own operating hours. Hours of alcohol service, including last call and vacating of premises, are all set by the Province of Alberta. There is no business licence category that specifically identifies "live music venues"; rather, there are three licence categories that could apply, including After Hours Dance Club, After Hours Dance Event, and Spectator Entertainment Establishment. Similarly the Edmonton Zoning Bylaw 12800 does not include a specific use for live music venues and does not include specific development permit requirements for these establishments, though there could be specific requirements within Direct Control Zones.

1. What Work has the City Done on this Issue?

The possibility of extending venues' hours has not been previously addressed by Administration. There have been a number of related activities that have occurred over the last few years. This work includes:

- In 2015, Administration facilitated a Live Music Round Table discussion. This discussion included diverse representation from the music industry, including: musicians; music venues; music consultants and promoters; Alberta Music; the Member of the Legislative Assembly of Alberta for Edmonton City Centre, David Shepherd; and City of Edmonton City Councillor Scott McKeen.
- As part of the Live Music initiative, Administration provided financial resources for programming to support live music performances in 2016.
- Administration has facilitated conversations with late-night industry stakeholders and Alberta Gaming and Liquor Commission policy managers through an ongoing quarterly roundtable.

2. What Would Need to Happen to Be Able to Respond to the Province?

Pending clarity from Alberta Gaming and Liquor Commission and the Province of Alberta regarding parameters of a potential pilot, it is expected that the following activities would be undertaken by Administration to respond to potential changes and explore a pilot program.

- Administration would need to develop a common definition of a live music venue, given that there is currently ambiguity around the term (disc jockeys and electronic music as examples).
- Administration would need to hear the perspectives of a range of stakeholders

who would be impacted by potential changes. Stakeholders could include Edmonton Police Service, representatives from the late-night industry, Business Improvement Areas, community leagues, live music performers and artists, residents, and other stakeholders.

These steps would allow Administration to fully understand the extent of potential impacts, benefits, challenges and opportunities.

3. What Are the Known Concerns and Advantages of Moving Forward with such a Pilot?

Based on a high-level internal review, the impacts of extending hours for live music venues may include:

- Policing and community safety costs may increase by extending the current hours of operation for licensed venues.
- Extending operating hours may have adverse impacts on the community with respect to noise.
- Implementation may lead to a non-level playing field for different types of venues with different hours.
- Given that there is no specific business license category or land use category for live music venues, determining which venues to include in a pilot could become a challenge.
- A potential change may support live music in Edmonton through longer venue operating hours.

Summary

The work Administration has undertaken to date has involved supporting live music through programming and exploring innovative opportunities to champion it. Advancing activities and opportunities that support live music within existing hours of operation may support live music without raising potential concerns associated with extended hours. At this time, a change of hours pilot has not been identified as a key mechanism for supporting live music venues. Should the Alberta Gaming and Liquor Commission proceed with a pilot of extended hours, Administration would work with them to further explore the opportunities and challenges.

Policy

- *The Way We Grow*, Edmonton's Municipal Development Plan, 6.4.1 - Attract creative workers and visitors by supporting arts, recreational, educational and cultural facilities
- *The Way We Live*, Edmonton's People Plan, Objective 2.3 - The City of Edmonton is a diverse, creative city with a rich and vibrant arts and cultural community

Corporate Outcomes

Understanding the impacts of extending closing hours for establishments with live music supports the following corporate outcomes:

- Edmontonians are connected to the city in which they live, work and play
- Edmonton is a safe city

Budget/Financial Implications

Undertaking a pilot is expected to result in associated costs to the City that may need to be estimated in advance, such as additional police, transit or community safety resources.

Metrics, Targets and Outcomes

Metrics	Targets	Outcomes
<ul style="list-style-type: none">• Number of live music venues in Edmonton - not available	<ul style="list-style-type: none">• Not applicable	<ul style="list-style-type: none">• Edmonton is a vibrant arts and cultural community

Others Reviewing this Report

- T. Burge, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- R. Smyth, Deputy City Manager, Citizen Services
- C. Campbell, Deputy City Manager, Communications and Engagement
- D. Jones, Deputy City Manager, City Operations