

BYLAW 20814 - Entertainment District Bylaw

Recommendation

That Community and Public Services Committee recommend to City Council:

That Bylaw 20814 be given the appropriate readings.

Purpose

To amend Bylaw 14614 - Public Places Bylaw to allow for the establishment of an Entertainment District.

Readings

Bylaw 20814 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 20814 be considered for third reading.”

Advertising and Signing

This Bylaw does not require advertising and the Bylaw can be signed and thereby passed following third reading.

Position of Administration

Administration supports this Bylaw.

Report Summary

Bylaw 20814 is an amendment to Bylaw 14614 that allows for the establishment of an Entertainment District. This amendment was informed by stakeholder feedback, public engagement and the Downtown Vibrancy Strategy, with intent to support a more vibrant and safe downtown Edmonton. This amendment results in the following:

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- When activated, consumption of alcohol purchased from businesses within the Entertainment District that are licensed to sell alcohol will now be permitted in the public space within the Entertainment District.
- Reduced red tape by eliminating the requirement for any event organizer who wants alcohol available for purchase at their event in the Entertainment District to acquire an Alberta Gaming, Liquor and Cannabis (AGLC) Public Special Event Licence that permits the sale of alcohol.
- Businesses and vendors continue to be responsible for all aspects related to their licensed premises, including compliance with City bylaws and the provincial *Gaming, Liquor and Cannabis Act*.
- Event organizers' responsibilities associated with the public space within the Entertainment District remain unchanged from what is currently required for other civic events on public space.
- Improved business retention and expansion support by providing businesses invested in brick-and-mortar locations the opportunity for increased revenues from increased pedestrian traffic, and permitting them to sell alcohol to people attending a civic event, which currently is not permitted.
- Once established by bylaw, the specified Entertainment District can be activated any time at the discretion of the City.

REPORT

The Downtown Vibrancy Strategy¹ focuses on initiatives that promote sustained vibrancy and are designed to increase the number of people downtown to live, work, play and visit. As part of implementing the Strategy, the City is proposing a bylaw amendment to allow for the establishment of an Entertainment District (District). A District is expected to create a more vibrant and safe downtown by delivering impactful, long-term benefits, including increased pedestrian traffic, improved business retention and attraction, reduced red-tape and increased promotion of the downtown area.

The Alberta Gaming, Liquor and Cannabis Commission (AGLC) and the *Gaming, Liquor and Cannabis Act*² grants municipalities the authority to create a bylaw that permits the establishment of an Entertainment District. A District permits the consumption of alcohol in a public place. This bylaw will limit that consumption to alcohol purchased from licensed establishments and vendors, including restaurants and bars, within the defined boundaries of the District, which will be indicated with signage.

The City is proposing Rice Howard Way as the District location (Attachment 2). Reasons to select this location include the existing aesthetic and walkability of the area, the concentration of restaurants and bars, proximity to Sir Winston Churchill Square and stakeholder feedback associated with the December 5, 2023, Urban Planning and Economy report UPE01333 Closed

¹ City of Edmonton. Urban Planning and Economy Department. Downtown Vibrancy Strategy. June 2021. www.edmonton.ca/sites/default/files/public-files/Downtown_Vibrancy_Strategy.pdf?cb=1711138355

² <https://aglc.ca/cannabis/cannabis-legislation-and-policies>

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and Shared Streets in Downtown. Previously, this location has been used for one-time community or public commercial events, including beer gardens. This required an AGLC Public Special Event Licence, which would no longer be required following adoption of the District bylaw.

The City will enhance the experience of the District by collaborating on a project with the Edmonton Downtown Business Association (EDBA). This approach will temporarily close the street to vehicles to allow for pedestrian-only access, entertainment and patios on Saturdays until 10 p.m. EDBA will be the event organizer, leading the event planning and operations and assuming responsibilities associated with the public space within the Entertainment District. These responsibilities are identical to other civic events on public space, including the requirement to enter into a licence, provide an Emergency Response Plan, insurance, signage and comply with City bylaws.

The Emergency Response Plan details actions to ensure the safety and security of the project. This includes additional private security and consultation with Edmonton Police Service, who were engaged on this project. The Downtown Vibrancy team will support the EDBA by coordinating all required City services, including permitting, transportation, cleaning, infrastructure repairs, maintenance and peace officers.

Businesses continue to be responsible for all aspects related to their licensed premises, including compliance with City bylaws and the *Gaming, Liquor and Cannabis Act*. The project will provide brick-and-mortar businesses, an opportunity for increased revenues from increased pedestrian traffic and permitting them to sell alcohol to people attending a civic event, which currently is not permitted. A working group will be formed with representatives from relevant City departments and external stakeholders, including the businesses located in the District, to ensure collaboration and communication during the project.

The project is targeting a launch by June 1, 2024, and will continue until the end of August 2024. Rice Howard Way NW (100A Avenue) would be closed to vehicle traffic from approximately 7 a.m. on Saturdays until 10 a.m. on Sundays. Rice Howard Way (100A Street NW) traffic would be permitted during these times, and privately owned parking access would be maintained. This schedule may be altered during the project.

During this project, alcohol consumed in the public space will be served in single-use plastic cups. This complies with the wording of the Single-use Item Reduction Bylaw 20117, as a District is not part of the premises of the businesses serving the beverages. Bylaw 20117 was not drafted with this District plan in mind and therefore did not contemplate the inclusion or exclusion of an initiative with this particular structure. As part of this project, data collection around cup usage will be used to inform the creation of a reusable cup program in the future. Collecting data before adopting a reusable cup program into the District will best ensure that a future reusable cup program is functional and effective.

Once established by bylaw, the District will be initially activated during the times outlined in the project. The District can be activated at other times at the discretion of the City, which includes

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requests from external stakeholders. Requests to activate the District outside of the dates and times specified in this report will be managed via the City's Civic Events Application Process³.

Community Insight

Details of engagement are in the What We Heard Report found in Attachment 3.

Public engagement included a survey completed by 491 people with 87 per cent of respondents indicating they would likely participate in the District. Another survey will be conducted in September to gain project feedback.

Along with other organizations that have an interest in the area, Administration conducted one-on-one stakeholder conversations with businesses and residents located on and near Rice Howard Way. The overall feedback is positive, with bars, restaurants, businesses and residents in the area expressing excitement about the idea of a District and the vibrancy that it will bring to the area. Businesses expressed an interest in participating in the project as well as helping to support programming in the District. Businesses that are not typically open during evenings and weekends expressed an interest in extending their hours to align with the District and to capitalize on the anticipated increased pedestrian traffic.

Additional public engagement findings that informed this report include those completed for:

- Downtown Vibrancy Strategy⁴
- Closed and Shared Streets in Downtown⁵
- Draft Public Spaces Bylaw⁶
- Explore Edmonton's Nighttime Economy Strategy⁷
- Alcohol Consumption at Designated Sites in Parks⁸

The learnings from the Alcohol Consumption at Designated Sites in Parks⁹ program informed the design of the bylaw and the City's operationalization of the Entertainment District. For more information please refer to the February 27, 2023 Community and Public Services Committee report CS01134 Alcohol Consumption at Designated Sites in Parks Program - Further Analysis.

³ City of Edmonton Civic Events Application Process.

https://www.edmonton.ca/attractions_events/rentals_event_planning/event-application

⁴ City of Edmonton. Urban Planning and Economy Department. Downtown Vibrancy Strategy. June 2021. www.edmonton.ca/sites/default/files/public-files/Downtown_Vibrancy_Strategy.pdf?cb=1711138355

⁵ City of Edmonton. Closed and Shared Streets in Downtown.

<https://pub-edmonton.escribemeetings.com/filestream.ashx?DocumentId=210537>

⁶ City of Edmonton. Bylaw 20700 - Public Spaces Bylaw.

<https://pub-edmonton.escribemeetings.com/filestream.ashx?DocumentId=211372>

⁷ City of Edmonton. Nighttime Economy Strategy - Evaluation Framework and Performance Measures.

<https://pub-edmonton.escribemeetings.com/Meeting.aspx?Id=1748c7db-436b-4cd3-922f-e7ace16eb0b7&language=English&Agenda=Agenda&Item=22&Tab=attachments>

⁸ City of Edmonton. Alcohol Consumption at Designated Sites in Parks Program - Further Analysis.

<https://pub-edmonton.escribemeetings.com/Meeting.aspx?Id=524ffe16-3bd6-4b24-a16e-e6845a29dc23&language=English&Agenda=Agenda&Item=22&Tab=attachments>

⁹ City of Edmonton. Alcohol Consumption at Designated Sites in Parks Program - Further Analysis.

<https://pub-edmonton.escribemeetings.com/Meeting.aspx?Id=524ffe16-3bd6-4b24-a16e-e6845a29dc23&language=English&Agenda=Agenda&Item=22&Tab=attachments>

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GBA+

The GBA+ process identified potential barriers to equity as being felt by the vulnerable downtown community members who frequent the area. This equity lens resulted in engaging with community organizations, such as the Boyle Street Community Services, who work directly with the vulnerable community members who frequent the downtown core and their input will continue to inform how best to move forward with little impact to these community members. There is concern that members of vulnerable or houseless communities may have been removed from similar type event spaces where they were causing no harm. Discrimination in cases like this must be mitigated to ensure equity among those who are attending the space.

Additionally, the GBA+ analysis highlighted the need to ensure the space is inclusive for anyone who would like to visit.

Some of the equity measures to address these concerns may include:

- Working with on-site security to ensure that personal biases or discrimination are not causing community members to be removed from the site where they are causing no harm.
- No purchase of food or drink is required to be in the Entertainment District which ensures that anyone may enjoy the ambiance of the area without spending money.
- Entertainment in the space will be inclusive and inviting whether it be games, live music, dj's, movies or other and will be appropriate for all ages.

Budget/Financial Implications

No additional funding is requested. Required funding will be absorbed within existing budgets, with the majority of funding coming from the Downtown Vibrancy Fund.

The road closure will result in reduced ePark revenue. Based on past parking occupancy data, this revenue loss is estimated at approximately \$3,000 for the closure during the project's proposed period of time. This estimate may be reduced by increased revenues at other nearby ePark zones, such as Library Parkade.

Attachments

1. Bylaw 20814
2. Entertainment District Map
3. Entertainment District What We Heard Report

Others Reviewing the Report

- C. Taylor, Acting City Solicitor