

Inquiry – Councillor Davies – Outdoor Music at Licensed Establishments

ISSUE

The City of Saskatoon (City) regulates playing of outdoor music, related to establishments with a liquor license (licensed), through Bylaw No. 8244, Noise Bylaw, 2003. The effectiveness of this approach has been reviewed using historical data as outlined in this report.

BACKGROUND

The Standing Policy Committee on Planning, Development and Community Services, at its meeting on June 13, 2018, received information on how other major cities typically use non-specific regulations, such as noise bylaws, regarding the playing of outdoor music. At this meeting, it was [resolved](#):

“That the Administration report further on the nature of existing outdoor music complaints at licensed establishments over the last 5 years and that the further review include consultation with the Business Improvement Districts and appropriate sector representation”.

This report addresses that resolution.

CURRENT STATUS

The City currently regulates outdoor music, related to licensed establishments, through [Bylaw No. 8244, Noise Bylaw, 2003](#) (Noise Bylaw), similarly to other Canadian cities. With no specific decibel levels or specific time periods where music cannot be played, the activity is regulated under a general prohibition against unreasonable, excessive or injurious noise. The City’s Noise Bylaw is administered and enforced by the Saskatoon Police Service. Enforcement of the Noise Bylaw is complaint based.

DISCUSSION/ANALYSIS-

Noise-related complaints for the period of 2015-2022, were sorted by neighbourhood and zoning district, and analyzed to characterize noise-related patterns within the five Business Improvement Districts (BID) of Broadway, Downtown, Riversdale, Sutherland and 33rd Street. Due to privacy concerns, data was not made available by the Saskatoon Police Service, specifically for the addresses of licensed establishments located in BIDs; therefore, information was sorted by zoning district to separate which noise was generated from commercial zones and which noise was generated from residential zones. In this respect, data may also include other land uses not related to licensed establishments. From this data, it was found that properties in the Downtown BID, zoned B6 - Downtown Commercial District, saw the largest number of noise complaints during the specified time frame, with an average of 28 complaints per-year. Broadway BID properties, zoned B5B - Broadway Commercial District, saw the second largest number of noise complaints, with six complaints per-year (see Appendix 1).

For context, each neighbourhood’s totals, as well as a snapshot of adjacent medium/high density residential and institutional zoning districts, are included in Appendix 1. All

collected data indicates noise complaints, within the boundary of each BID, are low or in-line with other non-commercial zoning districts.

Of the complaints within the downtown BID, zoned B6 – Downtown Commercial District, a record 74 complaints occurred in 2017, with 39 of these attributed to one address. The re-occurring noise complaint was related to indoor and outdoor patio noise/music and was successfully addressed through a formal noise warning, followed by a noise bylaw ticket. Subsequent complaints of the site did not appear to be related to loud music, and the number of complaints within the district decreased from 74, in 2017, to an average of 21 complaints per-year for the period of 2018-2022.

On average, apart from Downtown, the BIDs receive less than seven noise-related complaints per-year. In terms of the elevated complaint numbers in 2017, use of the Noise Bylaw was effective in addressing repeat complaints related to loud music at a licensed establishment. Success can also be attributed to the business’s “good neighbour” approach, which included operational changes, among others, to address complaints once the ticket was issued.

Apart from high complaint numbers in 2017, complaints related to outdoor music at licensed establishments have been negligible. In Administration’s view, this suggests current Noise Bylaw regulations, and voluntary ‘good neighbour’ business considerations, have been an effective approach.

ENGAGEMENT

Engagement on the historical data was undertaken with the BIDs. No outstanding issues related to the specific topic of outdoor music at licensed establishments were identified. The BIDs did raise some concerns on noise issues associated with busking, and this is an item Administration is reviewing separately.

FINANCIAL IMPLICATIONS

There are no financial implications.

OTHER IMPLICATIONS

There are no privacy, legal, social or environmental implications identified.

NEXT STEPS

Administration will continue to work with Saskatoon Police Service on any future patterns that may emerge related to this topic.

APPENDICES

1. Noise Complaint Data by Business Improvement District & Adjacent Zoning Districts

REPORT APPROVAL

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