

DATE: July 8, 1996

SUBJECT: NAT BAILEY STADIUM - SUMMER CONCERT SERIES

RECOMMENDATION

THAT the promoter of the concert series, MCA Concerts Canada, work with staff and the Environmental Health Department to reduce the noise levels for the three remaining concerts.

BACKGROUND

On February 26, 1996 the Board approved the use of Nat Bailey Stadium for a summer concert series by MCA Concerts Canada in 1996 subject to the following conditions:

1. A maximum of four concerts take place during the time period May to September, providing that no concerts are held on regular public school nights.
2. The concerts finish by 10:00 p.m. and the stadium be completely cleared by 10:30 p.m.
3. That the City's noise by-law be strictly enforced throughout the concert series.
4. That the Vancouver Canadians be responsible for the clean up of the surrounding area within a three block radius of the stadium each morning following the concerts. Failure to clean up shall render this approval terminable at the discretion of the Park Board.
5. That an appropriate level of security be available before, during and after each concert.
6. That a steering committee of residents meet on a regular basis with MCA to discuss any concerns related to the concerts.
7. That the Board receive, in addition to the rent in their current lease agreement with the Vancouver Canadians, 15% of gross parking revenues and 15% of concession revenues paid by the on site concessionaires to the Canadians.
8. That, if concerts are held in the evening, beer sales are to end at 9:00 p.m.
9. That approval of the concerts must be subject to no sustained breach of City noise by-laws, with no liability to the Board if approval is withdrawn, and negotiated to the satisfaction of the General Manager.
10. That the concerts be limited to the following ticket sales, including complimentary tickets:

7,500 if the concert is to be held in the evening; and,

10,000 if the concert is to be held in the afternoon.

## DISCUSSION

The first concert of the summer series featuring the Moody Blues was held on Friday, May 17, 1996. All conditions stipulated by the Board were met except for the one pertaining to the City's Noise By-law.

There were four written complaints from local residents concerning the noise level. The Riley Park Community Association President, Ms. Teresa Whitehouse, reported that the majority of comments received by the community association were positive regarding the concerts. An overview of the concert from Brent Imlach, General Manager of the Vancouver Canadians is attached (Appendix I).

For the purpose of the by-law the stadium and its various activities is considered commercial and the neighbourhood surrounding its location is considered residential; in by-law terms, intermediate and quiet zones respectively.

The by-law states that noise levels emanating from an intermediate zone and impacting on a quiet zone during the daytime hours should not exceed "60 dBA on an approved sound meter when received at a point of reception within a quiet zone".

The by-law defines daytime hours as 7:00 a.m. to 10:00 p.m. The concert held at the stadium on May 17, 1996 ended at 9:30 p.m. and therefore falls safely in the daytime categorization.

Noise level readings taken at various points outside the stadium were as follows:

LOCATION	BEFORE CONCERT	DURING CONCERT
5060 Ontario Street		
No traffic	51.6-52 dBA	50-51 dBA
With traffic	69.5-72 dBA	-
29 Ave & Ontario	51-52 dBA	64-64.5 dBA
30 Ave & Ontario	53-54.5 dBA	67-70 dBA
33 Ave & Ontario	57.5-60 dBA	57.5-59 dBA
Corner James Street	-	65-66 dBA
Dinmont Avenue	49-50 dBA	69.5 dBA (9:15p.m.) 75-77 dBA (9:25 p.m.)

From the results of the readings taken it is evident that the noise level in some areas exceeded the by-law level of 60 dBA.

The Health Department reported that the band stopped playing at 9:30 p.m. and crowd dispersal was orderly. Some complaints were received by residents prior to and after the concert. (At least one complainant lives about three blocks north of the concert site).

From the results of the readings it is evident that some locations had far higher readings than others. The high levels on Dinmont Avenue are partly attributable to the applause taking place at the end of the concert.

It should be pointed out that the reading before the concert at 5060 Ontario Street with traffic noise exceed the normal limit of 60 dBA.

The final three concerts in the series are scheduled for the following dates:

Friday, 16 August	- Steely Dan, Evening
Saturday, 14 September	- Sarah Mclachlan, Daytime
Sunday, 15 September	- Gypsy Kings, Daytime

Staff have met with the promoter (MCA Concerts) and the Environmental Health Department in order to try and resolve the noise problem for the remaining concerts. Approximately 4,300 tickets have already been sold for the Steely Dan concert.

Under the terms of the Noise By-Law there is provision for the Board to apply to the Mayor for an exception and the Mayor may give consent in writing to carry on the events outside the prescribed limits and upon such terms as the Mayor determines. The application must be submitted to the Mayor at least 5 working days prior to the date of the proposed event.

The other alternative is for MCA to voluntarily make adjustments to the sound system in order to comply with the 60 dBA ceiling. A letter from the company is attached (Appendix 2) explaining the measures that they will be taking to remedy the noise problem:

1. Reduce the sound volume to the minimum level possible for an outdoor concert without affecting the overall quality for those in attendance.
2. Position the speakers in such a way to avoid the sound from directly accessing residential areas. Speakers would be pointed towards the stadium bleachers in order to try and avoid sound leakage.
3. Maintain radio communication with the Environmental Health Inspector so that noise level readings can be instantly relayed back to the concert sound technicians.

In addition, MCA will continue to have discussions with the Steering Committee of residents and meet prior to each concert to try and resolve any outstanding issues.

## JUSTIFICATION

The first concert at Nat Bailey Stadium met all the conditions laid down by the Board except noise levels exceeded the Noise By-law in certain areas.

Since MCA have agreed to remedy the noise problems to the best of their ability, and there is indication of community support for continuing the concert series from the Riley Park Community Association the Board should allow the remaining three concerts to continue.

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