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## MEMORANDUM

January 28, 2011

TO: Mayor and Council

CC: Penny Ballem, City Manager  
Sadhu Johnston, Deputy City Manager  
Marg Coulson, City Clerk  
Mairi Welman, Director of Communications  
Dave McLellan, General Manager, Community Services Group  
Rich Newirth, Managing Director, Cultural Services  
Will Johnston, Director, Licenses and Inspections  
John McKearney, Chief, Fire and Rescue Services

FROM: Jacqueline Gijssen, Senior Cultural Planner  
Diana Leung, Cultural Planner II

SUBJECT: Update on Public Consultation for Council Report RTS 08916 Regulatory Review for Live Performance Venues

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Further to the Administrative Report, *Cultural Services Regulatory Review for Live Performance Venues: Phase I*, this memo summarizes the public feedback solicited through Public Open Houses (January 17 and 19) on Phase I directions for the Live Performance Review.

129 people attended the open houses--46% identified themselves event organizers, 26% as audiences for live performance, 16% as venues operators with the balance comprised of artists, advocates, media and other.

Overall, the response was very positive with attendees expressing support for the multiyear Review and Phase I suggested changes to By-Laws and service improvements. Staff used a questionnaire to capture specific feedback (95 submitted). Respondents were asked to indicate "useful, somewhat useful, possibility useful, not useful or n/a," and for the final question, "relevant, somewhat relevant, not relevant, n/a." The results were as follows:

1. Streamlined, centralized City approval process for temporary indoor events	73% "useful" 12% "somewhat useful" 4% "possibly useful"
2. New minimum base life safety standards for temporary indoor events (up to 250 person capacity)	48% "useful" 13% "somewhat useful" 16% "possibility useful"
3. Reduced exit capacity requirements for events over 60 people with liquor service	70% "useful" 5% "somewhat useful" 6% "possibly useful"
4. Regulatory Review Framework recommendations and work plan	57% "relevant" 23% "somewhat relevant"

A sampling of comments is provided below. The result of the public feedback indicate strong support for the Live Performance Review and relevance to current issues and concerns. Of the four topics presented, the streamlined process for temporary events ranked highest, followed by reduced exit capacity requirements for events over 60 with liquor service. Ranking lowest was changes to minimum base life safety standards. Staff believe the low ranking for the base life safety work is related to the 250 person capacity and the respondents not understanding that by focusing on events under 250, the Review will address approximately 90% of the types of events permitted in the city. 250 is the starting point and pending implementation, staff will expand to higher number events where possible.

General comments from the Open Houses included:

- positive reaction to the Review and the staff position (Cultural Planner II) charged with coordinating the work and assisting the cultural community
- recognition that the proposed changes will enable stronger financial sustainability and including fundraising opportunities
- anticipation that outcomes of the Review will enable events to be organized on shorter timelines, for underground events to become legal, and that access to a greater variety and less expensive spaces will increase
- Sense that while the Framework is relevant and comprehensive, it is complicated
- Some concern about changes in fees and costs of upgrades as a result of the new application process
- Some concern that safety is not being emphasized enough
- Sense that underground/illegal events may continue to stay underground either by their nature or if new standards are not easily followed

Suggestions from the Open Houses included:

- Desire to see the Framework changes implemented faster
- Desire for enhanced opportunities for community input and ideas
- Suggestion that while 200 - 250 is acceptable for event financial viability, changes should also be made for much larger capacities and outdoor spaces
- Desire to see Review move beyond traditional music venues of bars, cafes or theatres into more diverse spaces and also to include repurposing of heritage, vacant, industrial spaces and live-work spaces
- Desire to see the City explore tax exemptions for live performance venues
- Suggestion to limit licences to "noisy, unsafe" events and allow all-night dry events

The Open House feedback confirms that the directions recommended by staff are perceived as useful and relevant. For three of the four directions, over 80% of the respondents chose “useful/somewhat useful” or “relevant/somewhat relevant,” and on the 4<sup>th</sup> direction (base life safety), over 60% of the respondents chose “useful/somewhat useful.”

The comments received through the Open Houses, are timely and important and will prove useful to staff in the implementation of the Phase I recommendations (pending Council approval) and in shaping the Regulatory work of Phase II and Phase III. In particular, staff will be looking at how to make the information of the Review more readily accessible to the community with opportunities for input and feedback, and how to continue to prioritize key actions that can be implemented quickly and effectively.



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