

# Report Back - Amping Up the Arts Event License Policy to Support Arts and Culture in Vancouver

Public Hearing  
October 19, 2023



- There is a lack of affordable and suitable venue spaces for arts and culture events for smaller, pop-up events
- The Arts and Culture Indoor Event Licence was established as a small-scale pilot in 2013
- This program was created to enable industrial and retail spaces to be occasionally used for events, safely, legally, and through a streamlined regulatory process.
- Since 2018:
  - 192 Licensed Arts events
  - 12 complaints via 3-1-1 and VPD
  - 0 reported fire incidents
  - 65% of events took place in industrial zones
  - 91% of events occurred during evenings and weekends
- Expanding the program was identified as a key recommendation in Vancouver's cultural policies

## Council Direction

*April 12, 2023*

- ✓ Review the Arts Event Licence Policy and relevant by-laws and bring a recommendation to Council on increasing or doubling the frequency of events allowed each month;
- ✓ Consider increasing the 250 person maximum occupancy load and include outdoor spaces, subject to the safe capacity and size of each venue; and
- ✓ Consider harmonizing with or exceeding the allowable number of events per liquor licence subject to Provincial regulations.

Development, Buildings and Licensing (DBL); Arts, Culture and Community Services (ACCS); Planning, Urban Design and Sustainability (PDS) and Vancouver Fire and Rescue Services (VFRS) reviewed the Arts Event Licence Policy program and relevant by-laws with the following principles in mind:

- 1. Ensuring health and safety**
- 2. Expanding opportunities for arts and culture events with a risk-informed lens**
- 3. Preserving ease of compliance for artists and cultural groups**
- 4. Enabling a fun and vibrant city**



Amend the Zoning and Development By-law, License By-law, Building By-law (VBBL), and Fire By-law to:

- **Double the maximum number of permissible days per month for Arts Events from three to six days**, subject to additional requirements for smoke separations between spaces, combustibility, egress and other safety measures;
- **Enable Arts Event organizers to acquire a Special Event plan check to increase the maximum occupancy load beyond 250 people**, with the exact load to be determined by VFRS, but requiring full compliance with the Fire By-law regarding the number of exits, fire alarm system, supervisory staff and washrooms; and
- **Allow Arts Events to use adjoining outdoor space** (e.g. parking lot) on private property under the same licence.

# Proposed: Maximum number of event days per month per Building

	CURRENT: 3 days	PROPOSED: 6 days
<b>Maximum frequency</b>	3 days, 6 day event spanning two months is permitted	6 days, 12 day event spanning two months is not permitted
<b>Eligible locations</b>	No change – allowed in: Downtown, Downtown Eastside and False Creek area; any industrial or historic zones; and commercial areas (with the exception of C-1)	
<b>Eligible spaces</b>	No change – ground floor or basement only; floor must be concrete or certified safe.	
<b>Fire separations</b>	Not required	Smoke separation wall to adjacent spaces
<b>Combustibility (i.e. materials)</b>	Not required	If unsprinklered, draperies, fabrics or combustible hangings are to be flame retardant; limited combustible finishes (150 FSR)*
<b>Occupant load</b>	250 maximum or by design – to be decided by VFRS	Maximum of 250 without a Special Event plan check for occupancy load applicant and/or venue owner may apply for a Special Event Plan Check to increase occupancy load above 250, with the exact load determined by criteria including number of exits, sprinkler, etc.
<b>Exits and egress</b>	Up to 60 ppl: 1 exit; 61 to 250 ppl: 2 exits.	Must comply with A2 occupancy requirements in the Vancouver Building By-law. Exact number determined by criteria including floor space, sprinklers, etc.

\*FSR = Flame spread rating. Finishes with lower FSR have longer fire resistance

# Proposed: Maximum number of event days per month (contd.)



	CURRENT: 3 days	PROPOSED: 6 days
<b>Fire suppression</b>	Portable extinguishers; sprinkler in basement	
<b>Floor area safety measures</b>	Waiver from Vancouver Building By-law except for: emergency lighting in washrooms and areas leading outside; Exit signs; and signs directing occupants toward exits	
<b>Supervisory staff</b>	<ul style="list-style-type: none"> <li>• Under 100 guests: 2 staff</li> <li>• 101 to 150 guests: 3 staff</li> <li>• 151 to 200 guests: 4 staff</li> <li>• 201 to 250 guests: 5 staff</li> </ul>	No change if occupancy load is 250 or under. If approved occupancy load is above 250, at least one staff per designated exit, but not less than 5.
<b>Safety Planning</b>	No change – prepare and post a Safety and Security Plan and Emergency Evacuation Procedures	
<b>Fire event Notification</b>	Fire alarm system or supervisory staff at all egress routes	Permanent or temporary fire alarm
<b>Accessibility</b>	No change – at least one wheelchair accessible entrance	
<b>Indoor cooking</b>	Cooking allowed in designated facilities	No change if occupancy load is 250 or less; if event has an approved occupancy load above 250, only reheating of food is permitted
<b>Washrooms</b>	Not regulated	Number of washrooms must comply with VBBL

Increasing the **frequency of days per month** leads to additional safety requirements that require more technical information and approvals from event organizers and city staff

## **Proposed additional safety requirements:**

- ❖ Fire alarm
- ❖ Fire resistant wall finishes and fabric material
- ❖ Fire separation with adjacent areas
- ❖ Egress and exiting requirements based on size, travel distance, and number
- ❖ Number of washrooms to comply with VBBL A2 requirements

## **Measures to ensure ease of compliance:**

- ❖ Temporary fire alarms are acceptable
- ❖ Portable washroom facilities are allowable



# Proposed Option: Maximum occupancy load

	CURRENT: max 250	PROPOSED: increasing occupancy load above 250
Maximum load	250	By building - to be calculated by Vancouver Fire and Rescue Service
Fire Permit required?	No	Yes – one-time application per building based on internal layout – include special rate for Arts and Culture Event to apply. An application is based on a single layout/configuration and a separate permit is needed for a different layout/configuration.
Number of exits	<ul style="list-style-type: none"> <li>Up to 60 people: 1 exit;</li> <li>61 to 250 people: 2 exits.</li> </ul>	No waiver from Vancouver Building By-law– exact number determined by criteria including floor space, sprinklers, etc.
Number of supervisory staff	<ul style="list-style-type: none"> <li>Under 100 guests: 2 staff</li> <li>101 to 150 guests: 3 staff</li> <li>151 to 200 guests: 4 staff</li> <li>201 to 245 guests: 5 staff</li> </ul>	At least one staff per designated exit
Indoor cooking	Cooking allowed in designated facilities (if available)	Only warming of food is allowed
Washrooms	Not regulated	Number of washrooms must comply with Vancouver Building By-law

Increasing the **maximum occupancy** load leads to additional safety requirements that require more technical information and approvals from event organizers and city staff

## **Proposed additional safety requirements :**

- ❖ Fire permit approved by VFRS
- ❖ Exit and egress requirement dependent on space, layout
- ❖ Supervisory staff requirement
- ❖ Only warming food is allowed (no cooking)
- ❖ Number of washrooms to comply with VBBL A2 requirements

## **Measures to ensure ease of compliance:**

- ❖ One time Fire Permit application per building, based on internal configuration
- ❖ Use of an existing fee of \$150 per hour plus GST for a Special Event plan check connected to an Arts Event.

- Under the current program an Art Event must be fully contained within the indoor venue and may not use adjoining outdoor spaces on private property (i.e.. Parking lot)
- Identified as a regulatory barrier for Arts Events to use the adjoining outdoors spaces available to them
- With the inclusion of adjoining outdoor spaces will remove the requirement to obtain an additional licence
- **Staff is recommending to change the by-law definition to allow usage of adjoining outdoor space on private property under the same licence**
  - The total number of people indoors and outdoors cannot be more than the maximum occupancy load
  - Does not apply to adjoining outdoor spaces on public property (e.g. sidewalk, public road space or plaza) – require separate Special Event Permit from the City’s Engineering Department

Staff consulted 7 event organizers and artistic groups on proposed options for expanding the Arts Event program

## **Stakeholder response for proposed options**

- Unanimous support from stakeholders on use of adjoining outdoor space
- Additional frequency-related safety measures did not raise any concerns
- Generally supportive of increasing frequency of events to six days per month
- Stakeholders asked that a tiered option that goes all the way up to nine days per month
- Generally supportive of additional maximum occupancy-related fire requirements

## **Other options we heard from stakeholders**

- Increase the threshold for licensed events from 30 to 60 persons or higher
- Annual licensing, as opposed to the current per event licensing



THANK YOU