



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, April 2, 2026, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

Meeting will recess for a lunch break between 12:00 p.m. and 1:00 p.m.

Pages

A. TERRITORIAL ACKNOWLEDGEMENT

B. CHAIR'S REMARKS

C. INTRODUCTION OF LATE ITEMS

D. APPROVAL OF AGENDA

\*E. CONSENT AGENDA

Proposals for the Consent Agenda:

- F.1 - Minutes from the Committee of the Whole meeting held February 12, 2026
- G.1 - 602 Esquimalt Road: Temporary Use Permit Application No. 00033 (Victoria West)
- H.2 - Proposed Capital Regional District Bylaw No. 4719 – Traffic Safety Commission Service Establishment Bylaw, Amendment Bylaw No. 5, 2025
- I.1 - Council Member Motion: UBCM and FCM Resolution on Regulating AI to Safeguard Democracy

F. CONSIDERATION OF MINUTES

F.1 Minutes from the Committee of the Whole meeting held February 12, 2026

1

G. LAND USE MATTERS

\*G.1 602 Esquimalt Road: Temporary Use Permit Application No. 00033 (Victoria West)

6

*Addendum: Presentation*

A report regarding a Temporary Use Permit application for the property located at 602 Esquimalt Road in order to rent out the existing residential unit on a short-term basis and recommending that Council authorize the permit.

## H. STAFF REPORTS

### H.1 Municipal Alcohol Program Final Report 23

A report regarding the incorporation of solutions and policy changes to the Municipal Alcohol Program.

### H.2 Proposed Capital Regional District Bylaw No. 4719 – Traffic Safety Commission Service Establishment Bylaw, Amendment Bylaw No. 5, 2025 112

A report requesting consent to the adoption of Capital Regional District Bylaw No. 4719 – Traffic Safety Commission Service Establishment Bylaw, Amendment Bylaw No. 5, 2025.

## I. NEW BUSINESS

### I.1 Council Member Motion: UBCM and FCM Resolution on Regulating AI to Safeguard Democracy 123

A Council Member Motion requesting that Council direct staff to submit a resolution to UBCM and FCM regarding the regulation of artificial intelligence.

### I.2 Council Member Motion: Funding to Support the Victoria Curling Club's New Ice Making Plant and the North Park Community 125

A Council Member Motion regarding the authorization of funding to support the Victoria Curling Club in the construction of a new ice making plant.

## J. CLOSED MEETING, IF REQUIRED

## K. ADJOURNMENT OF COMMITTEE OF THE WHOLE



## MINUTES - COMMITTEE OF THE WHOLE

February 12, 2026, 9:04 A.M.

**COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE**

**The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation**

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Kim, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Hammond

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, S. Johnson - Director of Communications and Engagement, P. Rantucci - Director of Community Safety, Wellbeing & Partnerships, K. Hoese - Director of Planning and Development, B. Roder – Deputy City Clerk, C. Mycroft - Manager of Intergovernmental & Media Relations, R. Bateman - Planner, A. Heimburger - Senior Legislative Coordinator, D. Newman - Director of Parks and Recreation, W. Doyle -Director of Engineering and Public Works, K. Jones - Assistant Director of Community Safety & Bylaw Services, P. Carroll - Senior Planner, K. Stevenot - Senior Planner - Heritage, A. Moffatt - Legislative Coordinator

### **A. TERRITORIAL ACKNOWLEDGEMENT**

The Chair spoke to the events that occurred in Tumbler Ridge and reflected on the importance of togetherness and community, and expressed gratitude and solidarity with the first responders, teachers, and family members.

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, reflected on the resiliency of the Nations and expressed gratitude for their willingness to work with the City on future endeavors.

### **B. INTRODUCTION OF LATE ITEMS**

*There were no late items.*

### **C. APPROVAL OF AGENDA**

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**D. CONSENT AGENDA**

*Committee requested that the follow item be added to the Consent Agenda:*

- *F.2 - 19 Menzies Street: Rezoning Application No. 00903 and Development Permit with Variances Application No. 00308 (James Bay)*

Moved and Seconded:

That the following Consent Agenda items be approved:

**E.1 Minutes from the Committee of the Whole meeting held January 8, 2026**

That the minutes from the Committee of the Whole meeting held January 8, 2026 be approved.

**E.2 Minutes from the Committee of the Whole meeting held January 15, 2026**

That the minutes from the Committee of the Whole meeting held January 15, 2026 be approved.

**F.1 1527 Redfern Street: Heritage Designation Application No. 000218 (South Jubilee)**

That Council:

1. Approve the heritage statement of significance for the property located at 1527 Redfern Street;
2. Instruct the Director of Planning and Development to prepare a Heritage Designation Bylaw that would designate the property as a Municipal Heritage Site, as outlined in the staff report dated August 19, 2025 for 1527 Redfern Street; and
3. That first and second readings of the Heritage Designation Bylaw for 1527 Redfern Street be considered by Council and a Public Hearing date be set.

**F.2 19 Menzies Street: Rezoning Application No. 00903 and Development Permit with Variances Application No. 00308 (James Bay)**

That Council, after giving notice, and after adoption of the necessary zoning bylaw amendment, if it is adopted, consider the following motion:

- “1. That Council authorize the issuance of Development Permit with Variances No. 00308 for 19 Menzies Street, in accordance with plans submitted to the Planning and Development department on January 8, 2026, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the open lot space from 30.00% to 29.38%; reduce the landscape area from 35.00m<sup>2</sup> to 23.00 m<sup>2</sup> . That the

Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

**G.1 2601 Avebury Avenue (SUB00444): Strata Title Conversion Application**

That Council:

1. Approve the Strata Title Conversion application for the property at 2601 Avebury Avenue.
2. Direct the Approving Officer to sign the plan of strata title conversion after the following conditions have been met:
  - a. That the owner apply for a Building Permit if determined necessary.
  - b. That the registered architect provide a Letter of Professional Assurance, in support of the strata title conversion consideration, and that if the required letter notes upgrades to achieve sound attenuation or the necessary fire separation, that those improvements occur, and a further Letter of Professional Assurance be provided confirming those conditions have been met at project completion, prior to signing a Strata Plan.
  - c. That the owner set-aside \$5,000 for the benefit of the Strata for the purpose of roof replacement.

**G.2 Appointment of Bylaw Officers**

That Council approve the appointment of:

- Tayja Lum
- Joey Ip
- Muskan Muskan
- Rhett Palace
- Alona Startseva
- Denver Xavier

1. As Bylaw Officers pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business License Inspector for the City of Victoria

**CARRIED UNANIMOUSLY**

**E. CONSIDERATION OF MINUTES**

**E.1 Minutes from the Committee of the Whole meeting held January 8, 2026**

*This item was approved on the Consent Agenda.*

**E.2 Minutes from the Committee of the Whole meeting held January 15, 2026**

*This item was approved on the Consent Agenda.*

**F. LAND USE MATTERS**

**F.1 1527 Redfern Street: Heritage Designation Application No. 000218 (South Jubilee)**

*This item was approved on the Consent Agenda.*

**F.2 19 Menzies Street: Rezoning Application No. 00903 and Development Permit with Variances Application No. 00308 (James Bay)**

*This item was approved on the Consent Agenda.*

**G. STAFF REPORTS**

**G.1 2601 Avebury Avenue (SUB00444): Strata Title Conversion Application**

*This item was approved on the Consent Agenda.*

**G.2 Appointment of Bylaw Officers**

*This item was approved on the Consent Agenda.*

**H. NOTICE OF MOTIONS**

*There were no Notices of Motions.*

**I. NEW BUSINESS**

**I.1 Council Member Motion: Lead Position for a Positive Transfer System in Supportive Housing**

Committee received a Council Member Motion from Councillor Loughton dated February 6, 2026 requesting that Council direct staff to work with BC Housing and the Capital Regional District to develop a regional positive transfer system for supportive housing.

**Motion to refer:**

Moved and Seconded:

That this matter be referred to the February 26, 2026 Committee of the Whole meeting.

OPPOSED (1): Councillor Gardiner

**CARRIED (8 to 1)**

**J. CLOSED MEETING, IF REQUIRED**

*There was no closed meeting.*

**K. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 9:16 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT



## Committee of the Whole Report For the Meeting of April 2, 2026

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**To:** Committee of the Whole **Date:** March 19, 2026

**From:** Karen Hoese, Director, Planning and Development

**Subject:** Temporary Use Permit Application No. 00033 for 602 Esquimalt Road

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### RECOMMENDATION

That Council, after giving notice, consider the following motion:

- “1. That Council authorize the issuance of Temporary Use Permit No. 00033 for 602 Esquimalt Road, in accordance with plans submitted to the Planning and Development department on December 15, 2025, to permit the additional use of Home Occupation, subject to:
  - a. The proposed development meeting all City zoning bylaw requirements under Zoning Regulation Bylaw (No. 80-159).
2. That the Temporary Use Permit expires three years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with section 493 of the Local Government Act, Council may issue a Temporary Use Permit. A Temporary Use Permit may allow a use not permitted by zoning, may specify conditions under which the temporary use may be carried on, and may allow and regulate construction of buildings and structures in respect of the use of which the permit is issued.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit (TUP) application for the property located at 602 Esquimalt Road. The proposal is to temporarily permit Home Occupation use, which will enable the applicant to rent out their existing residential unit on a short-term basis.

The following points were considered in assessing this application:

- This Temporary Use Permit application, which would enable Home Occupation use for up to three years, is considered consistent with the *Official Community Plan, 2025 (OCP)* designation of Urban Industrial Reserve (UIR).
- This TUP application is considered consistent with the *Rezoning and Development Policy* guidance for the Urban Industrial Reserve (UIR).

- The subject property is zoned M-2, Light Industrial District, which permits a residence for a watchman as ancillary use on the lot, but does not permit Home Occupation uses.
- If approved, the TUP would be issued for a period of three years. The applicant may submit a one-time renewal for a subsequent period of up to three years.
- No variances are proposed as part of this application.

## DESCRIPTION OF PROPOSAL

The proposal is to add Home Occupation as a temporary use of the existing residence for a watchman unit within the industrial building at 602 Esquimalt Road. The proposal does not include adding general residential as a permitted use to the M-2, Light Industrial District zoning. Approval would enable the operation of Short-Term Rental via the Home Occupation use regulated by *Schedule D* of the *Zoning Regulation Bylaw (No. 80-159)*. No additional development or construction is proposed as part of this TUP and no variances are proposed. If approved, the TUP would be valid for three years.

The zoning data table attached to this report provides a more detailed comparison of the proposal to the existing M-2, Light Industrial District zone.

## BACKGROUND

The applicant is the owner/operator of Cinderbloc Studios, an arts hub hosting photoshoots, art galleries, live music performances, weddings and other events at 602 Esquimalt Road. Cinderbloc Studios consists of a larger warehouse unit in the building (Unit #602-D), not subject to this TUP application, and a dwelling unit (Unit #602-C), which is the applicant's permanent residence and is permitted as a residence for a watchman as ancillary use on the lot. Unit #602-C is the subject of this TUP application.

The existing residence for a watchman unit currently functions as a principal residential dwelling unit with bedroom, living, washroom and cooking facilities. This Temporary Use Permit, if approved, would temporarily provide the existing suite the same Home Occupation rights as other residential properties in the city. The applicant would be permitted to apply for a Short-Term Rental business licence to rent out their dwelling unit in accordance with the regulations of *Schedule D* of the *Zoning Regulation Bylaw*.

## Land Use Context and Site Development Potential

The area surrounding the subject site is characterized by a variety of land uses including light industrial, commercial, multi-family residential and single family residential (see *Figure 1* below).

The subject site is presently occupied by an industrial building with a dog groomer on the ground floor (Units #602-A and #602-B), a residence for a watchman suite on the second floor (Unit #602-C), and a warehouse unit on the second floor (Unit #602-D). The TUP application would only impact Unit #602-C.

Under the existing M-2, Light Industrial District Zone, the property could be developed to a density of 3.0:1 Floor Space Ratio (FSR) with a range of industrial, commercial, service, and arts and culture uses being supported.



Figure 1: Subject Site Aerial Photo

## COMMUNITY CONSULTATION

### Instream Application Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the application has been posted on the Development Tracker from the date the application was received by the City. The application was also referred to the Vic West CALUC for a 30-day comment period. At the time of writing this report, a letter from the CALUC had not been received.

### Consultation Prior to Consideration of Approval

In accordance with the City's *Land Use Procedures Bylaw*, this Temporary Use Permit requires notice, sign posting and a meeting of Council to consider approval of the permit.

## ANALYSIS

The following outlines the review of the application against City of Victoria policy and regulatory documents.

## Official Community Plan

The *Official Community Plan 2025* (OCP) identifies this property as within the City's *Urban Industrial Reserve* (UIR) designation. The intent of this OCP designation and the vision for lands in the UIR is to foster employment, innovation, and economic prosperity, with specific emphasis placed on production, distribution, and repair (PDR) uses. The UIR is expected to support Victoria's economic vitality through industrial intensification with innovative and novel economic uses.

Land uses in the UIR are expected to be light-industrial on the ground-floor with light industrial and commercial uses above. Specific uses might include manufacturing, warehousing, assembly, research, technology, and distribution/creation of goods, materials, and services.

The proposed Temporary Use Permit to enable Home Occupation use on the property does not materially change the alignment with the OCP as the temporary use would operate through the existing dwelling unit. The proposal aligns with the land use and built form guidance by supporting the economic vitality of the subject property and enabling innovation for the existing business.

OCP policy also supports arts and culture uses anywhere in the City. Section 1.3.5 of the OCP specifically supports maximizing the use and functionality of industrial buildings by supporting arts and culture uses. The proposed TUP, in providing short-term accommodation for artists travelling to Victoria and supporting a local arts hub, aligns with this objective.

## Rezoning and Development Policy

The *Rezoning and Development Policy* provides more detailed land use and built form guidance for specific parcels throughout the City. The subject site is identified as *Urban Industrial Reserve* (UIR) and, more specifically, Industrial Employment, in Figure 85 of the *Rezoning and Development Policy*.

The intent of the UIR is to preserve industrial lands in Victoria specifically for industrial uses. These lands should foster traditional and future industrial uses including entrepreneurship and innovation, technology, artisan production, and other employment-generating uses. Emphasis is placed on productive uses, not residential uses. Employment uses are supported on upper floors of industrial buildings.

A TUP for Home Occupation use aligns with these policies by increasing the productivity of the building through bolstering the employment opportunities and economic viability of the arts hub. The TUP does not enable broader residential use, but rather increases the functionality, economic vitality, and innovation of the current residential unit and business model. Approval of the TUP would not jeopardize or reduce the feasibility of more traditional industrial uses on this site in the future.

Further, the *Rezoning and Development Policy* encourages a range of economic uses including artisanal and artistic production on upper floors of multi-storey industrial buildings. The TUP application aligns well with these policies by supporting arts and culture uses and innovative entrepreneurship.

## Regulatory Considerations

As an industrial-zoned property, the subject site was not included in the updated *Zoning Bylaw 2018*, which was adopted by Council on October 2, 2025, along with the *Official Community Plan 2025*.

Instead, the subject site remains subject to *Zoning Regulation Bylaw* (No. 80-159). Phase two of Zoning Modernization will update industrially zoned properties, including the subject site, to align with the City’s new land use framework.

Home Occupation use supports a variety of small-scale, low-impact home-based land uses that are permitted in residential dwelling units such as:

- artist studios
- mail order
- small-scale making, processing, assembly
- manufacturing agent
- personal and professional services
- short-Term Rental
- teaching
- testing, servicing, repairing of goods.

These uses are considered generally compatible with the primary industrial use of the building.

## **CONCLUSIONS**

The proposal to temporarily add Home Occupation as a permitted use of the existing residence for a watchman unit within the building located at 602 Esquimalt Road is considered supportable based on the alignment with the *Official Community Plan 2025* and the *Rezoning and Development Policy*. Therefore, it is recommended that Council approve the TUP for 602 Esquimalt Road.

## **ALTERNATE MOTION**

That Council decline Temporary Use Permit Application No. 00033 for the property located at 602 Esquimalt Road.

Respectfully submitted,

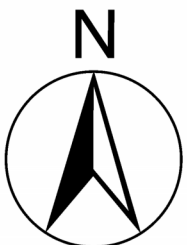
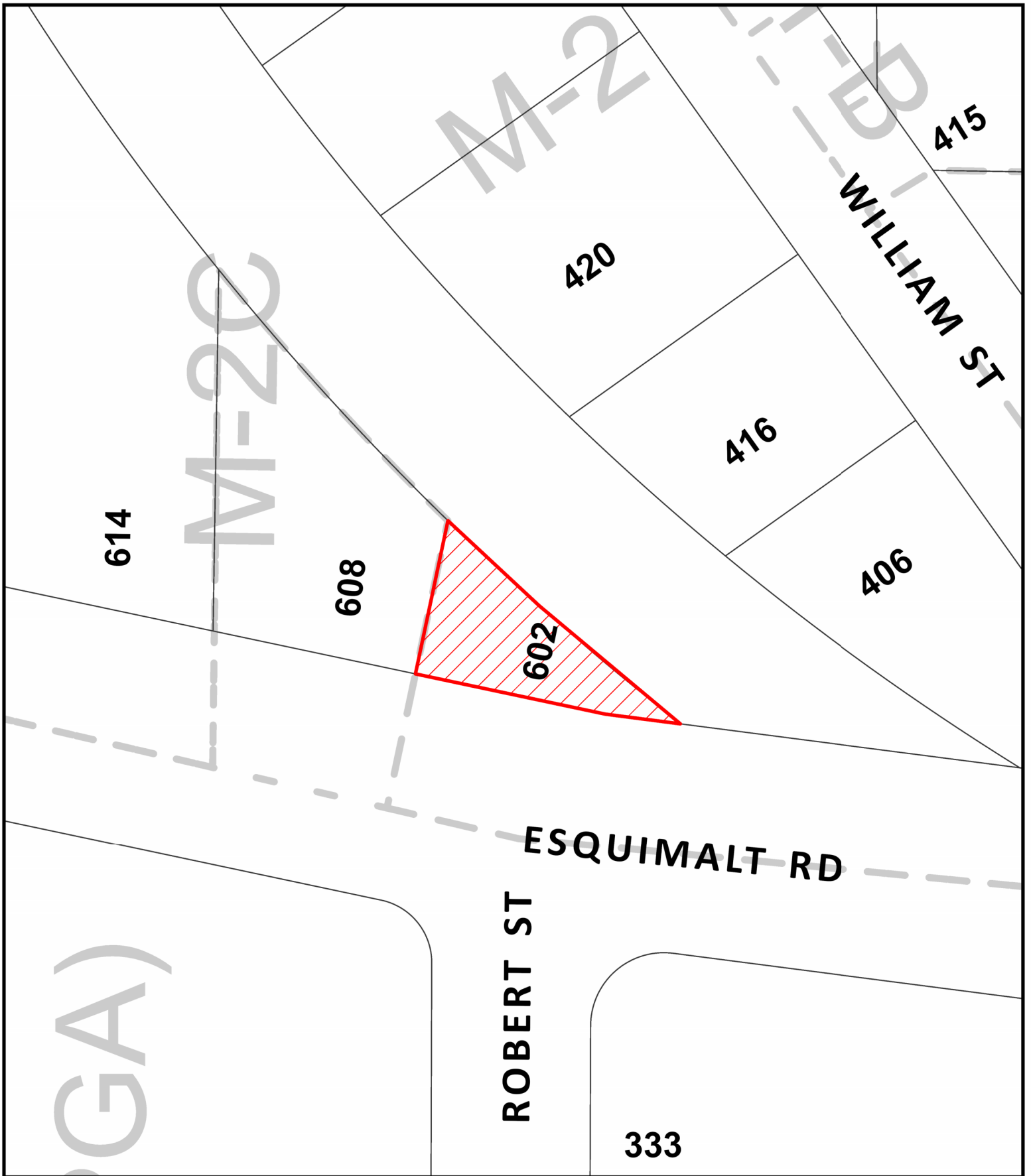
Matt Kuziak  
Planner  
Development Services

Karen Hoese, Director  
Planning and Development Department

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

- Attachment A Subject Map
- Attachment B Plans date stamped December 15, 2025
- Attachment C Letter from applicant to Mayor and Council dated December 15, 2025
- Attachment D Zoning Data Table



602 Esquimalt Road  
Temporary Use Permit No.00033



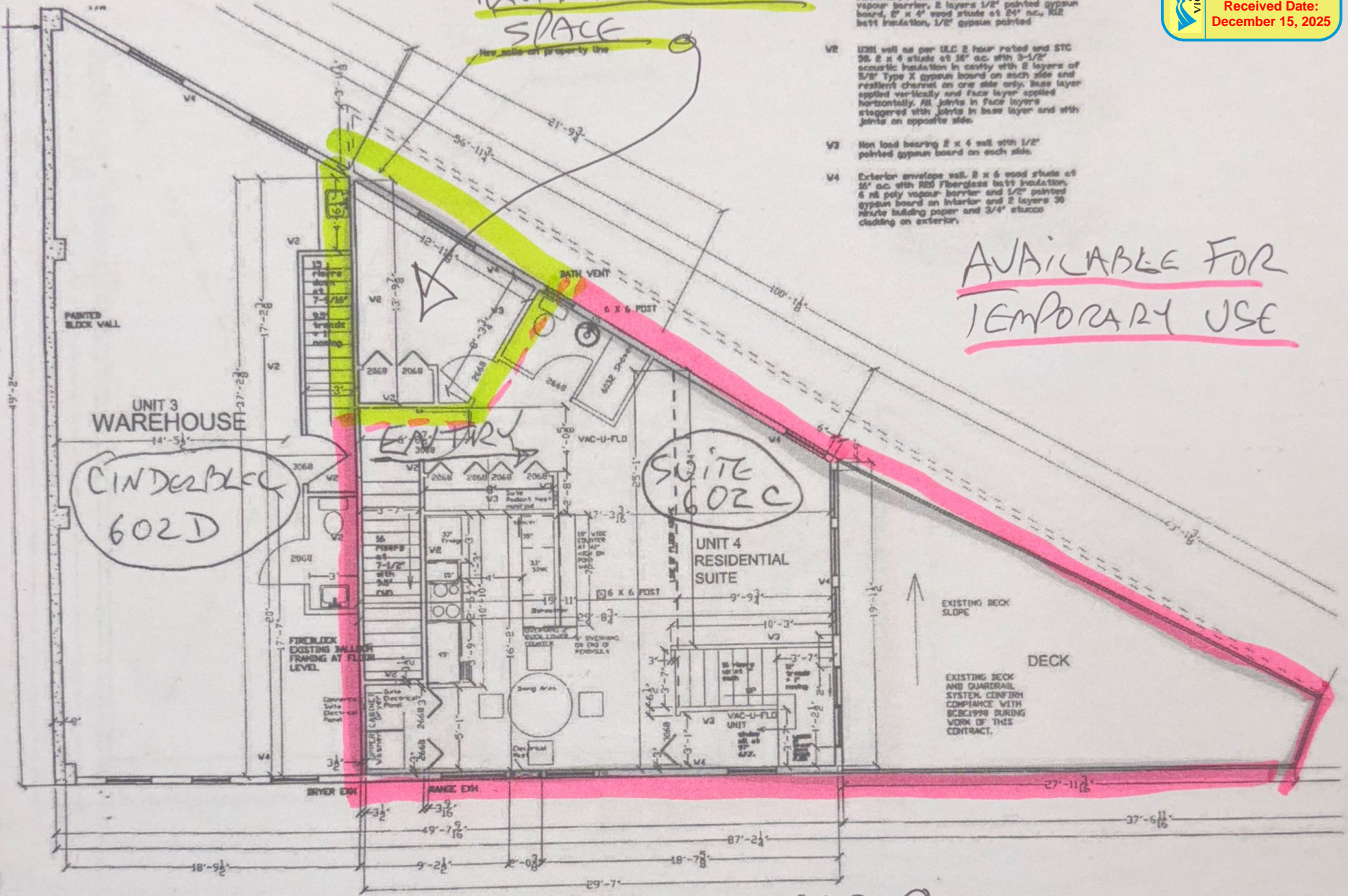
Original  
Submission  
Received Date:  
December 15, 2025

TENANT PRIVATE SPACE

INSULATION, RESISTIVE CHANNELS AT 24" O.C. w/ no vapour barrier, 2 layers 1/2" painted gypsum board, 2" x 4" wood studs at 24" o.c., R12 batt insulation, 1/2" gypsum pointed

- V2 U201 wall as per ULC 2 four panels and STC 36. 2 x 4 studs at 16" o.c. with 2-1/2" acoustic insulation in cavity with 2 layers of 5/8" Type X gypsum board on each side and resilient channel on one side only. Base layer applied vertically and face layer applied horizontally. All joints in face layers staggered with joints in base layer and with joints on opposite side.
- V3 Non load bearing 2 x 4 wall with 1/2" pointed gypsum board on each side.
- V4 Exterior envelope wall. 2 x 4 wood studs at 16" o.c. with R50 Fiberglass batt insulation, 6 mil poly vapour barrier and 1/2" painted gypsum board on interior and 2 layers 3/8" fibre building paper and 3/4" stucco cladding on exterior.

AVAILABLE FOR TEMPORARY USE



SECOND FLOOR PLAN  
SCALE 1/8" = 1'

1/8" = 1' 602C



## TEMPORARY USE PERMIT REQUEST – 602-C ESQUIMALT ROAD

**To: Mayor Marianne Alto & Victoria City Council**

Dear Mayor Alto and Members of Council,

I am requesting a **Temporary Use Permit** for **602-C Esquimalt Road**, the ancillary residential suit located directly across from my long-established creative facility, **Cinderbloc Studios**, at 602-D Esquimalt Road.

### About Cinderbloc Studios

For over **15 years**, Cinderbloc Studios has been a creative hub in Victoria West, providing affordable space for **photography, videography, live music, art shows, workshops, and wellness events**. The space is heavily used by both local and visiting creatives and **supports the goals of the new Official Community Plan**.

### Purpose of the Permit

Unit C is currently my residence but is uniquely positioned to act as a **short-term live/work suite** for visiting photographers, videographers, artists, and production teams. The zoning (M-2 industrial) does not allow short-term lodging, yet the suite is the **only livable unit in the entire building**, making it ideal for temporary stays but unsuitable for full-time long-term housing.

### This permit would:

- Allow clients to **stay where they work**, increasing efficiency and supporting professional productions.
- Support **artist residencies** and visiting creatives, a long-standing vision since opening in 2010.
- Provide a niche accommodation option in a walkable area with **very limited short-term stay availability**.

### Community Benefit

The business already contributes to the neighbourhood, including commissioning a **98-ft mural along the E&N; Rail Trail**, which has reduced tagging and improved the visual environment. Short-term stays would create **no additional infrastructure needs**, no negative community impact, and would complement-not replace-existing studio

operations. The permit would support local arts tourism, especially ahead of the **FIFA World Cup**, when live/work **accommodation demand is expected to rise**.

### **Business Viability**

Studio demand is seasonal, peaking September–May. Allowing up to **160 permitted stays per year** would sustain the business during slower months and strengthen year-round operations for both studios (Units C and D).

### **Conclusion**

This is a **unique opportunity to support Victoria’s cultural sector** by enabling a creative live/work suite that aligns with community needs, tourism growth, and the city's artistic identity. I respectfully request Council’s approval of this Temporary Use Permit.

Thank you for your time and consideration.

**Sincerely,**

**Antonio La Fauci,**  
Cinderbloc Studios  
Cinderbloc.ca | 250-507-9565

**Project Data Table**

The following data table compares the proposal with the existing M-2, Light Industrial District Zone.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>M-2 Zone</b>
Site area (m <sup>2</sup> ) – minimum	Existing	N/A
Site area per unit (m <sup>2</sup> ) – minimum	Existing	N/A
Number of units – maximum	Existing	N/A
Density (Floor Space Ratio) – maximum	Existing	3.0:1FSR
Total floor area (m <sup>2</sup> ) – maximum	Existing	N/A
Lot width (m) – minimum	Existing	N/A
Height (m) – maximum	Existing	15m
Storeys – maximum	Existing	N/A
Site coverage (%) – maximum	Existing	N/A
Open site space (%) – minimum	Existing	N/A
Number of dwellings units in an attached dwelling	Existing	N/A
Separation space between buildings (within the site) (m) – minimum	Existing	N/A
<b>Setbacks (m) – minimum</b>		
Front	Existing	0m
Rear	Existing	0m
Side (east)	Existing	0m
Side (west)	Existing	0m
Combined side yards	Existing	N/A
Parking – minimum	Existing	1 space / 140m <sup>2</sup> floor area
Visitor parking included in the overall units – minimum	Existing	N/A
Long-term bicycle parking stalls – minimum	Existing	1 space / 1,200m <sup>2</sup> floor area
Short-term bicycle parking stalls – minimum	Existing	6 spaces

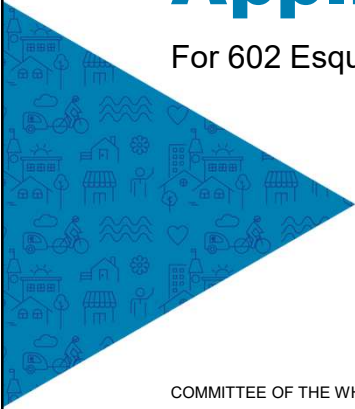

2026 | CITY OF VICTORIA | Planning and Development

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# Temporary Use Permit Application

For 602 Esquimalt Road

COMMITTEE OF THE WHOLE | April 2, 2026




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## Legislative Authority

- As per Section 493 of the Local Government Act, Council can issue a Temporary Use Permit.
- TUPs can permit uses not currently permitted under the zoning of a property.
- TUPs may set conditions for operation of the use.
- TUPs may set conditions for development affiliated with the use.
- TUPs can be issued for a period of up to 3 years.
- TUPs can be renewed once for a second period of up to 3 years.



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# Aerial Photo



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# Subject Property



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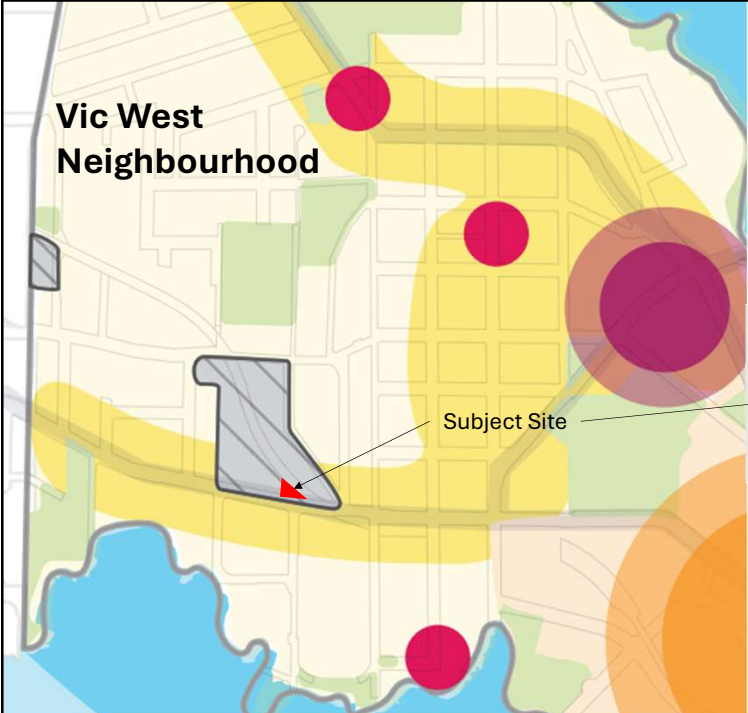
## Neighbouring Properties

1. Looking East – Pet Hospital
2. Looking West – Autobody Shop & Cannabis Retail
3. Looking South – Four-Storey Residential



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## Vic West Neighbourhood




Subject Site

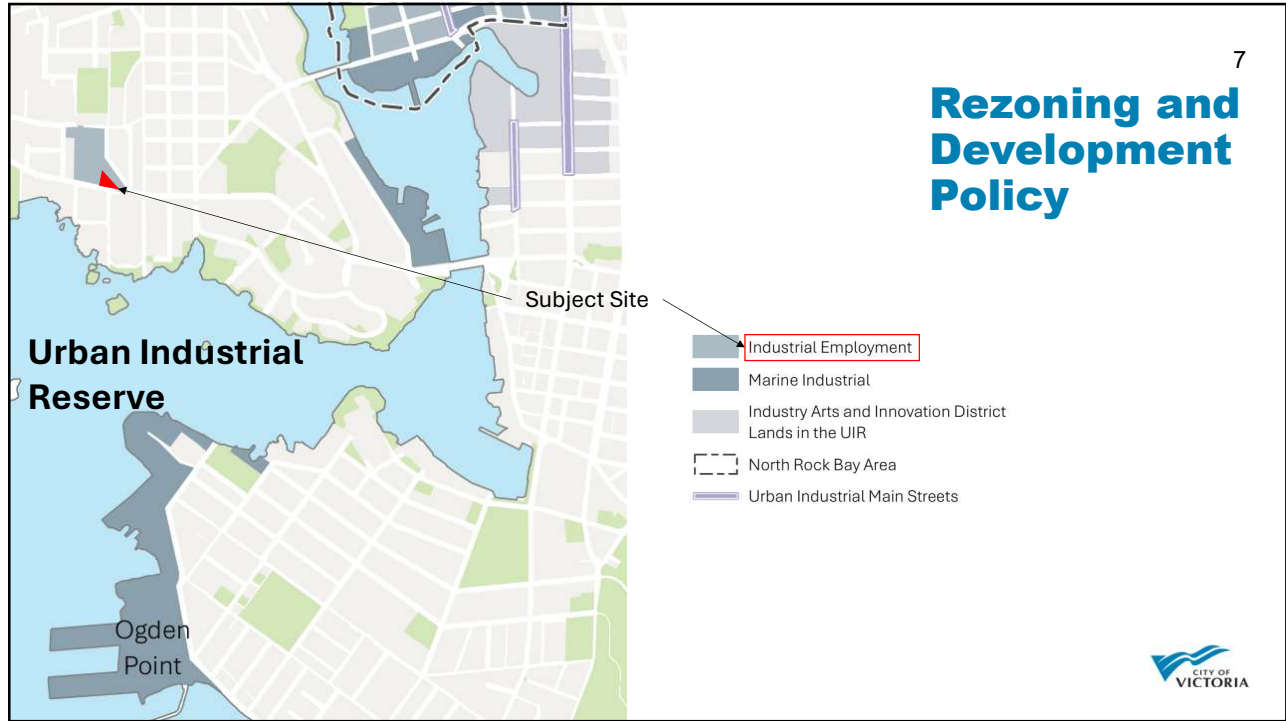
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## OCP Designation

<p><b>Residential Fabric</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #fff9c4; border: 1px solid #ccc; margin-right: 5px;"></span> Residential Infill</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #fff176; border: 1px solid #ccc; margin-right: 5px;"></span> Priority Growth Areas</li> </ul> <p><b>Community Nodes</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #9c27b0; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Town Centres</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #e91e63; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Community Villages</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #e91e63; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Local Villages</li> </ul>	<p><b>Districts</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #ff9800; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Downtown Core</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #00bcd4; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Legislative District</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #ff9800; border-radius: 50%; border: 1px solid #ccc; margin-right: 5px;"></span> Songhees District</li> </ul> <p><b>Reference</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #e0e0e0; border: 1px solid #ccc; margin-right: 5px;"></span> Parks, Institutions and Public Open Spaces (see Community Networks)</li> </ul>	<p><b>Working Lands and Waters</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, #ccc 2px, #ccc 4px); border: 1px solid #ccc; margin-right: 5px;"></span> Employment Districts</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #e0e0e0; border: 1px solid #ccc; margin-right: 5px;"></span> Urban Industrial Reserve</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #2196f3; border: 1px solid #ccc; margin-right: 5px;"></span> Working Harbour</li> </ul> <p><b>Transit Priority Network</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; border-bottom: 2px solid #ccc; margin-right: 5px;"></span> Transit Priority Network (see Mobility Networks)</li> </ul>
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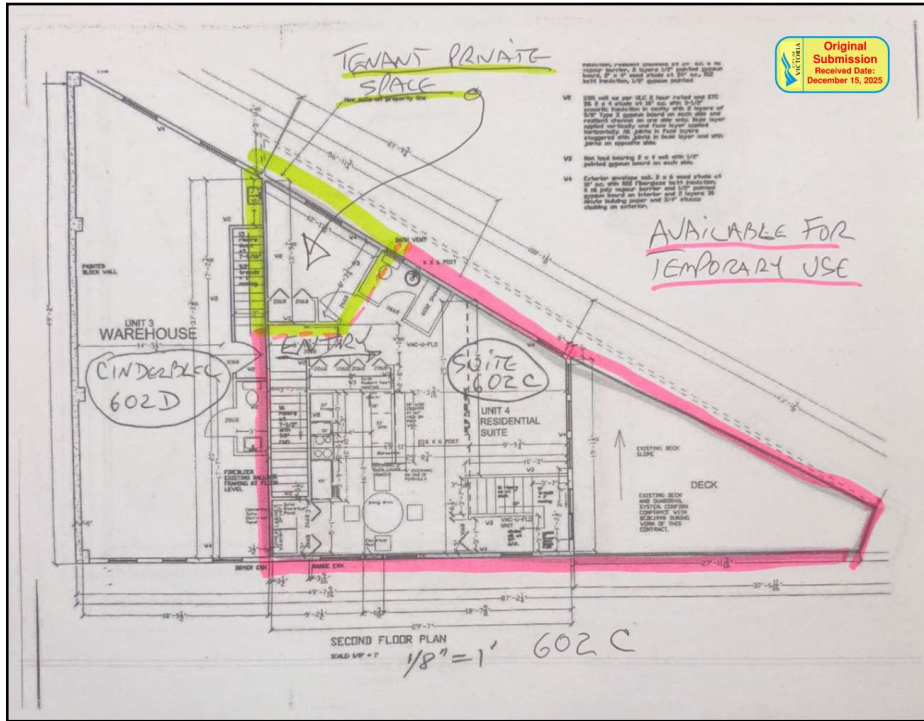
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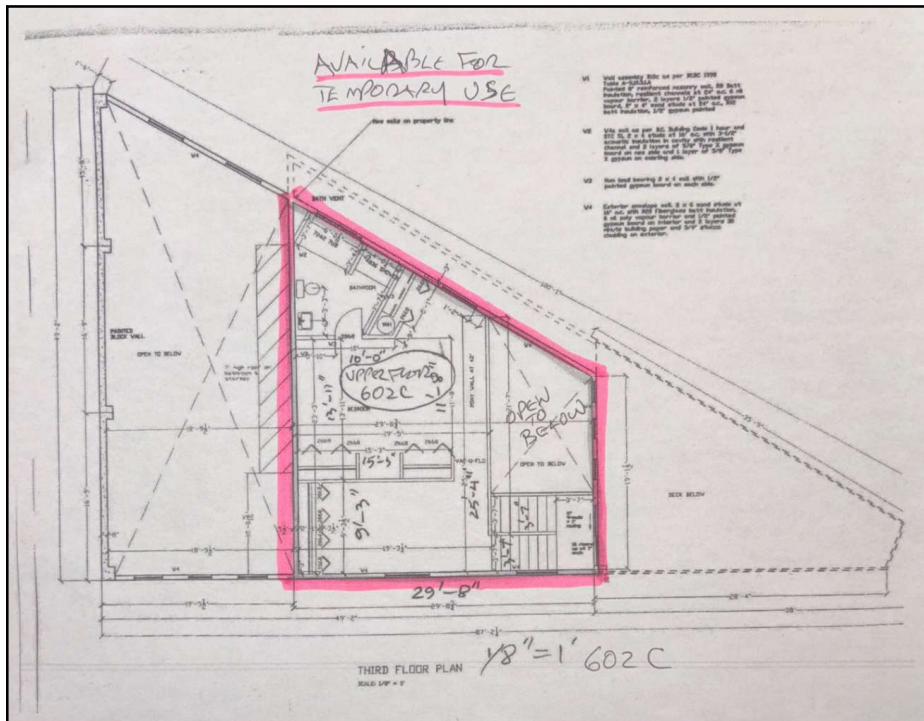
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# Floor Plan

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# Floor Plan

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11



## Committee of the Whole Report For the Meeting of April 2, 2026

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**To:** Committee of the Whole **Date:** February 20, 2026  
**From:** Kerri Moore, Director of Business & Community Relations  
Curt Kingsley, City Clerk  
**Subject:** Municipal Alcohol Program Final Report

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### RECOMMENDATION

That Council receive this report for information.

### EXECUTIVE SUMMARY

As part of the City's Strategic Plan (2019–2022), Council identified the development of a Municipal Alcohol Policy (MAP) to support a vibrant hospitality sector while addressing emerging conflicts between residential uses and late-night activity. While initial work focused on creation of one policy a detailed analysis, operational experience, and subsequent Council direction have resulted in a shift toward a broader program consisting of a suite of interrelated policies, procedures, guidelines and partnerships.

Since 2020, staff have advanced or completed many of the recommended actions. Key outcomes include streamlining and delegating the liquor licence referral process, continued work to modernize noise management tools, transitioning from a formal Late Night Advisory Committee to more flexible staff-led stakeholder engagement and ongoing support for sexualized violence prevention initiatives within the hospitality sector.

This report provides Council with a consolidated update (see Table 1) on completed and ongoing initiatives. Together, these actions form an integrated municipal framework that supports a vibrant late-night economy while responding to community impacts.

### PURPOSE

The purpose of this report is to update Council on the suite of solutions and policy changes that together form a program, and to describe how the December 2021 Council directions have been addressed.

### BACKGROUND

#### Strategic Plan

Victoria's downtown is a compact urban environment that accommodates residential development alongside restaurants, bars, nightclubs, live music venues and tourism. As the residential population

has grown, particularly in and around the downtown core, expectations of incoming residents have not always aligned with the realities of a regional late-night destination serving approximately 40,000 post-secondary students, a metropolitan population of over 400,000, and a strong visitor economy.

In 2018, these challenges were identified by the Late Night Advisory Committee and reinforced through the Downtown Core Area Plan, which called for strategies to manage and mitigate conflict between residential development and late-night hospitality venues.

Key issues identified included:

- Regulatory and enforcement challenges, particularly in addressing impacts that occur during late-night hours,
- Growth in late-night, alcohol-related activity, contributing to greater impacts in the late-night hours,
- Limitations in the Noise Bylaw related to monitoring and enforcement at night,
- Liquor licence terms and conditions that did not consistently or effectively address local impacts,
- A lack of clear policies and guidelines to inform liquor licence application reviews, and
- Limited proactive land-use and operational planning to mitigate impacts between residential and hospitality uses.

The committee believed that these issues would continue to grow and recommended the development of policies and procedures to ensure that late night hospitality areas would flourish and continue to coexist with residential land uses.

In 2018, Council included in the City's Strategic Plan, specifically to "...develop a municipal alcohol policy to address concerns brought forward by the Late Night Advisory Committee."

### BC Healthy Communities Grant

In 2019, the City received a BC Healthy Communities Grant to develop a MAP focused specifically on municipally owned or managed lands and facilities. As a result, Municipal Property Alcohol Guidelines (Appendix 1) were established in 2020 to guide alcohol use in City parks, facilities, and community spaces. These guidelines align with provincial liquor legislation but are not intended to regulate privately operated hospitality venues.

### Responsible Hospitality Institute

In 2019, to inform and support broader policy development, the City engaged the Responsible Hospitality Institute (RHI) to review Victoria's late night economy. RHI examined existing policies and conducted stakeholder engagement with hospitality venue operators, residents, VicPD, Music Advisory Committee, and a women's focus group. Following, RHI submitted a report (Appendix 2) and subsequently met with staff to present and review the suggested directions.

Based on RHI's report and staff's consideration of approaches, staff provided a report to Council in December 2021 with actions to strengthen policy clarity, licensing processes, noise management, and advisory structures (Appendix 3). As a result, Council directed staff to:

1. Apply the following directions as the basis for developing and implementing a municipal alcohol policy and procedures:

- Develop guidelines for the review and evaluation of liquor licence applications;

- Establish greater clarity and accountability for liquor licence terms of operation;
- Clarify and communicate the liquor licence review process to the community;
- Ensure revision of the Noise Bylaw effectively considers the goals of the Create Victoria Master Plan and late night noise issues;
- Review terms of reference for Late Night Advisory Committee; and
- Streamline the local government referral process.
- That Council reaffirm the inclusion of sexualized violence prevention as part of the mandate of the Municipal Alcohol Policy and the late night program including the Late Night Advisory Committee.

2. Adopt a streamlined approach for the review of LCRB referred liquor licence applications as outlined in Approach 4 of Section 6 of the report, to be implemented as part of the municipal alcohol policy.

3. Direct staff to engage with community stakeholders and report back to Council with a recommended municipal alcohol policy and procedures, and any resource implications associated with implementation.

4. Direct staff to report back at the next quarterly update on the implications of a pilot project for responsible alcohol consumption outdoors informed by the recent experience in other BC municipalities.

Following the staff report, many of the recommended actions are either complete, in progress, or no longer relevant. Instead of a singular MAP, there are a suite of solutions and policy changes which help to form a municipal alcohol program.

## ISSUES & ANALYSIS

**Table 1: Status of December 2021 Recommendations**

<b>2021 Recommendation</b>	<b>Current Status</b>
<b>1.1 Develop guidelines for the review and evaluation of liquor licence applications</b>	Complete
<b>1.2 Establish greater clarity and accountability for liquor licence terms of operation</b>	Complete
<b>1.3 Clarify and communicate the liquor licence review process to the community</b>	Complete
<b>1.4 Ensure revision of the Noise Bylaw considers Create Victoria Master Plan goals and late night noise issues</b>	In Progress
<b>1.5 Review terms of reference for the Late Night Advisory Committee</b>	Complete
<b>1.6 Streamline the local government liquor licence referral process</b>	Complete
<b>1.7 Reaffirm sexualized violence prevention as part of the Municipal Alcohol Policy and late night program mandate</b>	Complete

<b>2. Adopt a streamlined approach for LCRB preferred liquor licence applications</b>	Complete
<b>3. Engage stakeholders and report back with a recommended municipal alcohol policy and procedures</b>	Complete
<b>4. Report back on implications of a pilot for responsible outdoor alcohol consumption</b>	Complete

### Liquor Licence Applications

In 2025, staff conducted a comprehensive review of the liquor licensing referral process for providing comments on provincial liquor license applications referred to the City. The evaluation concluded that the City’s guidelines were clear and consistently implemented, and that the City’s limited authority and resources for enforcement were relatively minor compared to the province’s regulatory powers. Based on staff recommendations, Council subsequently directed that steps be taken to streamline the referral process by delegating most referrals to staff. This delegation was formally adopted on January 15, 2026, and staff are currently developing administrative procedures to further enhance the efficiency of the referral system.

### Noise Bylaw

Staff are undertaking a review of the Noise Bylaw and considering other noise management tools to addressing impacts related to late-night noise from hospitality and entertainment. The City is currently engaging with relevant stakeholders, which will conclude in February 2026. Staff will bring a report to Council, including the engagement summary, in Spring 2026. This work considers proximity of residential and commercial uses, and mixed use spaces, and will result in staff recommendations about next steps and possible regulatory changes.

### Late Night Advisory Committee

The Late Night Advisory Committee was created in 2010 but was not formally appointed by Council. In 2023, the committee was discontinued. While the formal committee no longer exists, the work continues through regular staff-led engagement with key stakeholders that include but not limited to hospitality operators and industry association, Downtown Residents Association, VicPD, Downtown Victoria Business Association and provincial regulators. This engagement allows staff to address emerging issues, share information and coordinate responses in real time without the administrative requirement of a committee.

### Sexualized Violence Prevention

In 2021, Council reaffirmed the importance of sexualized violence prevention and appointed two Council liaisons to an industry-led working group focused on creating safer hospitality environments. Following that work, in 2022, Council advanced advocacy calling for the integration of sexualized violence prevention training into the provincial Serving it Right curriculum. While curriculum development remains under provincial jurisdiction, the City continues to support local initiatives that promote consent-based culture, training, and safer nightlife practices, such as our partnership with Good Night Out within the OUR DWTN program deliverables.

## Responsible Alcohol Consumption Outdoors

During the COVID-19 pandemic, some British Columbia municipalities temporarily allowed for alcohol consumption outdoors, primarily in public parks. Staff monitored these pilots, but did not pursue a pilot due to timing and indicators that the pandemic was under control, reducing the need for this type of temporary measure.

## Municipal Alcohol Program

British Columbia's definition of a Municipal Alcohol Policy is a local government framework that regulates alcohol use on municipally owned or managed properties, such as recreation centres, parks and community facilities. It sets out where alcohol is permitted or prohibited and the conditions for events, while operating within and not superseding provincial liquor regulations.

## Downtown Core Area Plan

Recognizing that part of Council's initial direction was aimed at supporting a vibrant hospitality sector, it is also worth noting the role of recent and forthcoming land use planning initiatives. The recently adopted Victoria 2050 Official Community Plan (OCP) provides high level policies and directions to maintain a healthy, vibrant and prosperous downtown core. It further provides direction to update the City's Downtown Core Area Plan to ensure economic vitality and vibrancy across multiple sectors, including hospitality and tourism. The scope for this work will be brought forward in the coming months for Council's consideration; it will build upon the work completed to date, as discussed in this report, and will seek opportunities to continue to use the City's land use authorities to support a healthy balance of economic development and community wellbeing.

## **OPTIONS & IMPACTS**

Since 2021, the City has worked on a comprehensive programmatic approach to alcohol management to consider city-wide impacts and alignment with related tools such as the Noise Bylaw and other community standards allowing for modifications and adaptations as needed and at the same time does not supersede provincial liquor regulations.

A regulatory framework for businesses selling alcohol existed prior to this direction. Therefore, staff reviewed regulations, policies, and guidelines to streamline and clarify licensing and enforcement of regulations for businesses serving alcohol under a provincial license.

Staff have work underway and will consider as an ongoing basis initiatives or other ways to mitigate alcohol-related impacts from the hospitality and entertainment sector.

### *Accessibility Impact Statement*

Hospitality accessibility requirements are addressed primarily through the BC Building Code, Business Licence Bylaw, and related regulations. No new accessibility impacts are anticipated as a result of this report.

### *2023 – 2026 Strategic Plan*

- Activate street, sidewalks, patios and public spaces and support business initiatives and ideas.

- Streamline permitting and development processes to support small businesses and to reduce costs.

*Impacts to Financial Plan*

There are no impacts to the Financial Plan.

*Official Community Plan Consistency Statement*

9.1. Local and Regional Economic Development

- 9.1.1. Build on Victoria’s Economic Strengths - encourage local business development throughout the community
- 9.1.9. Ensure Efficient, Supportive City Involvement in Business Development - Periodically review and consider tools and levers available to the City to enable and support new local business development, business improvements and entrepreneurship, including property tax rates, tax incentives, charges, fees, grants and resources.

9.3. Arts and Culture

- 9.3.7. Animate and Program Public Spaces - Encouraging and supporting festivals, celebrations and special events in diverse public spaces throughout the city, including those led by the City, the community, non-profit organizations and private entities.

*Community Safety and Wellbeing Impact*

4.1 Downtown – encourage people to spend time downtown, particularly in the evenings through the OUR DWTN program and by supporting patios, late-night businesses, and a safe and abundant transportation network.

6.1 Commerce – Audit city business and permit approval processes to address redundancies and improve the experience of people seeking, or applying for, permits.

**CONCLUSIONS**

This report outlines the work completed and ongoing for solutions and policy changes towards a program to improving planning, management and overall outcomes for a vibrant and safe hospitality sector, while addressing emerging issues between residential use and hospitality venues.

Respectfully submitted,

Kerri Moore  
Director of Business & Community Relations

Curt Kingsley  
City Clerk

**Report accepted and recommended by the City Manager.**

**List of Attachments**

- Appendix 1 – Municipal Property Alcohol Guidelines
- Appendix 2 – Responsible Hospitality Institute (RHI) Report
- Appendix 3 – Municipal Alcohol Policy Report – COTW Dec. 2021

## 1. Purpose

The purpose of the Municipal Property Alcohol Guidelines (the Guidelines) is to support responsible alcohol service on municipal property where alcohol consumption is permitted.

### Principles

- The City supports healthy activities and events that contribute to community vitality and strengthening social connections
- The City may provide opportunities for the community to organize and attend events on City property where alcohol may be consumed in accordance with applicable Provincial regulations

### Goal

Events with alcohol service on City property are safe, healthy and respectful of neighbours, while contributing to community vitality and strengthening social connections.

## 2. Definitions

“alcohol”	Liquor as defined in the Liquor Control and Licensing Act
“applicant”	The individual or organization applying to serve alcohol at an event on City property
“block party”	A City permitted event on a City block organized by residents where the street is closed during the event
“City”	The Corporation of the City of Victoria
“City property”	Any park, facility or public space owned or directly administered by the City excluding: <ol style="list-style-type: none"> <li>Victoria Conference Centre;</li> <li>Crystal Garden; and</li> <li>Any property owned by the City, which is leased, or otherwise exclusively occupied with the City’s permission, by another person</li> </ol>
“event”	Any public or private gathering on City property authorized through a permit
“event supervisor”	The applicant, or an individual designated by the applicant to fulfill any of the terms of the permit
“event staff”	Any person who is supporting the event and has been assigned a role at the event by the applicant
“intoxicated”	Diminished mental or physical control as a result of consuming alcohol or other psychoactive substances
“LCRB”	Liquor and Cannabis Regulation Branch of the provincial government
“LCRB Special Event Permit”	LCRB temporary liquor licence required for alcohol service at an event

“liquor inspectors”	LCRB employees authorized to attend special events where liquor is being served under an LCRB Special Event Permit to ensure compliance with the Liquor Control and Licensing Act
“moderate alcohol consumption”	Alcohol consumption levels consistent with the national Low Risk Drinking Guidelines for reducing risk of injury and harm
“patron”	Any person attending an event
“permit”	A Parks Use Permit, Special Event Permit or any other formal permission from the City to use City property for an event
“Security Worker Licence”	A licence issued in accordance with the Security Services Act
“Special Event Committee”	A City interdepartmental event review committee and may include Victoria Police Technical and other external agencies (e.g., Island Health or CRD)

### 3. Application

- a) These guidelines apply to any event on City property.
- b) These guidelines are intended to provide aid and guidance to applicants regarding City’s expectation of events that include service or consumption of alcohol on City property. They are not intended to restrict the discretion of City Council or delegated staff in issuing any permit or approval of any Event, each of which will be evaluated and decided on a case-by-case basis.
- c) These guidelines do not replace, or in any way limit the applicability of any enactments that regulate the serving or consumption of alcohol, all of which must be complied with at all times and, where such enactments require municipal approval or comment, these guidelines do not in any way limit or fetter the City’s ability to provide or deny such approval or provide comment as if these guidelines did not exist.

### 4. General Terms

- a) Service of alcohol at events is intended as a periodic occurrence and the City may set a maximum number of permits for each applicant each year.
- b) Where the City produces events and alcohol service is provided by a partnering organization, these guidelines will apply to the partnering organization.
- c) These guidelines are intended to inform and align other permit requirements and policies (e.g. City Special Event Application Guidelines).
- d) Liquor inspectors will have unimpeded access to all events held on municipal property.
- e) Open (whole site) licensing for a delineated event area, rather than a dedicated site within the event area for alcohol consumption, is acceptable provided that LCRB requirements are met.

## 5. Permits

- a) No event may be held on City property without a valid permit.
- b) Alcohol must not be served or consumed on City property unless approved by the City and LCRB.
- c) An application for a permit for a proposed event at which alcohol is served or consumed may be referred to the Special Event Technical Committee for review before it is submitted for formal approval.
- d) Review includes consideration whether the proposed event complies with all applicable bylaws and policies, including but not limited to:
  - i) Noise Bylaw;
  - ii) Clean Air Bylaw (CRD);
  - iii) Access to Public Facilities Policy; and
  - iv) Mobile and Temporary Food Service Guidelines (Island Health).

## 6. Application Requirements

- a) An application for an event that includes service or consumption of alcohol must include plans, as described in more detail in these guidelines, for the following:
  - i) Safety and Security;
  - ii) Alcohol Service;
  - iii) Health and Harm Reduction;
  - iv) Neighbourhood Impacts; and
  - v) Transportation.
- b) The applicant or event supervisor must ensure that no changes to these plans are made without the City's consent and the event is conducted and operated in accordance with those plans.
- c) An applicant for an event that may include service or consumption of alcohol must provide proof of liability insurance.
- d) An applicant for an event that includes service or consumption of alcohol must pay applicable fees prescribed under:
  - i) The Liquor Licencing Fee Bylaw No. 01-36 for processing an LCRB Special Event Permit application;
  - ii) Recreation Fees Bylaw No. 06-056 for operational support and damage deposits; and
  - iii) Any other applicable City bylaw.

## 7. Safety and Security Plan

- a) The applicant must demonstrate that risk for personal safety, sexualized violence and general disorder at the proposed event have been considered and adequate plans have been made to minimize those risks to the patrons, event staff and the general public.
- b) A security plan should be based on a risk assessment with consideration to:
  - i) Number of attendees;
  - ii) Nature of the event;
  - iii) Time of day and week of the event;
  - iv) Site and surrounding land use (e.g. location of residents and other non-participants); and
  - v) Types of activities proposed.
- c) A security plan should include:
  - i) Perimeter fencing and entry gate type and location;
  - ii) Number of security staff based on a patron to security staff ratio appropriate for risk;
  - iii) Consideration for creating a safe environment (e.g. good lighting, visibility);
  - iv) Communication protocol with the Victoria Police Department;
  - v) Medical emergency (e.g. overdose) protocol and emergency vehicle access to the site; and
  - vi) Event staff role in monitoring and responding to issues arising in and adjacent to the event site.
- d) Where event staff are to provide security in liquor service areas, the plan should specify measures to ensure that event staff:
  - i) Are highly visible, recognizable and differentiated from other event staff (e.g. common shirts); and
  - ii) Have and are in possession of a valid Security Worker Licence.
- e) Security plans should include provisions to ensure that during the event, event staff:
  - i) Monitor all areas within the site and any adjacent areas to the site (e.g. parking lots, lineups);
  - ii) Monitor and control entry to the site;
  - iii) Check patrons for weapons, unpermitted alcohol and other items that may affect safety of other persons;
  - iv) Remove intoxicated or disorderly individuals and call police if individuals are non-compliant; and

- v) Log incidents and responses to individuals who appear intoxicated or disorderly.
- f) The applicant should submit copies of any LCRB-required safety plans to the City.

## **8. Neighbourhood Impacts**

- a) The applicant must demonstrate that potential impacts of the event on neighbours have been considered and plans developed to reasonably minimize those impacts.
- b) A plan for mitigating impacts of an event on neighbours should:
  - i) Describe measures for addressing any potential negative impacts on neighbours (e.g. noise, parking, litter);
  - ii) Include notification of the neighbours who may be affected about the proposed event, including providing contact information for the designated event Supervisor;
  - iii) Describe measures to monitor the contact link provided and take reasonable measures to address concerns of neighbours before and during the event; and
  - iv) Include a process for documenting concerns from the neighbours and the actions taken in response to these concerns.

## **9. Alcohol Service**

- a) The applicant must plan for responsible service of alcohol.
- b) The plan for alcohol service must comply with all applicable LCRB rules and requirements and should:
  - i) Provide for selling of alcohol through the purchase of tickets at a location separate from the alcohol service counter;
  - ii) Demonstrate that all event staff serving alcohol have valid applicable certification (i.e. Serve it Right or Special Event Server);
  - iii) Include adequate measures for ensuring that all patrons consuming alcohol have proper identification and identify them as having been checked (e.g. tamper-proof bracelet);
  - iv) Describe the steps to monitor areas adjacent to the event for patrons who are consuming alcohol before, during and after the event;
  - v) Include provision for ending alcohol service at least 30 minutes prior to the scheduled end of the event; and
  - vi) Describe the process for refunding any unused drink tickets during the event and for at least 15 minutes after bar closing, including description and location of signs advising patrons of this process.

## 10. Health and Harm Reduction

- a) The applicant must plan for reducing health and harm impacts related to alcohol consumption.
- b) The plan should include:
  - i) Alcohol pricing no lower than average prices in liquor-licensed venues, while adhering to LCRB pricing requirements;
  - ii) No sales of beer with alcohol content of over 6% unless serving size is reduced proportionately;
  - iii) Not include any promotions that contribute to consumption beyond moderate alcohol consumption levels (e.g. discounts on multiple tickets or pitchers, required drink purchases, tolerance for drinking games, “last calls”, etcetera).
  - iv) Measures to ensure that:
    - (1) No more than two alcohol beverages are served to a patron at one time;
    - (2) Alcohol will not be served to an intoxicated person or a person who shows signs of being under the influence of alcohol; and
    - (3) Event staff serving alcohol do not serve patrons to the extent that intoxication is probable.
  - v) Commitment not to serve caffeinated energy drinks (CED) where alcohol is served (i.e. drinks with Health Canada’s “do not mix with alcohol” warning label);
  - vi) Making non-alcoholic beverages available, at least some of which should be offered at no more than half the cost of alcoholic beverages;
  - vii) Making water available for patrons at no charge;
  - viii) Provision of Food other than packaged snacks (e.g. potato chips) for purchase;
  - ix) Posting of signs that promote safety, health and the respectful behaviour of patrons and those who may be affected before, during and following the event. For example:

*“Please enjoy this event and help us ensure that alcohol is consumed in moderation, personal safety is assured and our neighbours are respected”*
  - x) Measures to ensure that washrooms are:
    - (1) Of adequate capacity and quantity;
    - (2) Appropriate for all genders and abilities who may attend the event; and
    - (3) Kept clean and operational at all times.

## 11. Transportation

- a) Applicants must plan for the event staff and patrons' arrival to and departure from the event.
- b) A plan should consider and provide for:
  - i) Safety of pedestrians, motorists, cyclists and others in and around the event;
  - ii) Assisting patrons to get safely to transportation and transferring the *duty of care* to the next party (e.g. taxi driver);
  - iii) Support for designated drivers (e.g. free non-alcoholic drinks);
  - iv) Providing voluntary breath alcohol testing stations, and
  - v) Promoting transportation alternatives to driving motorized vehicles.

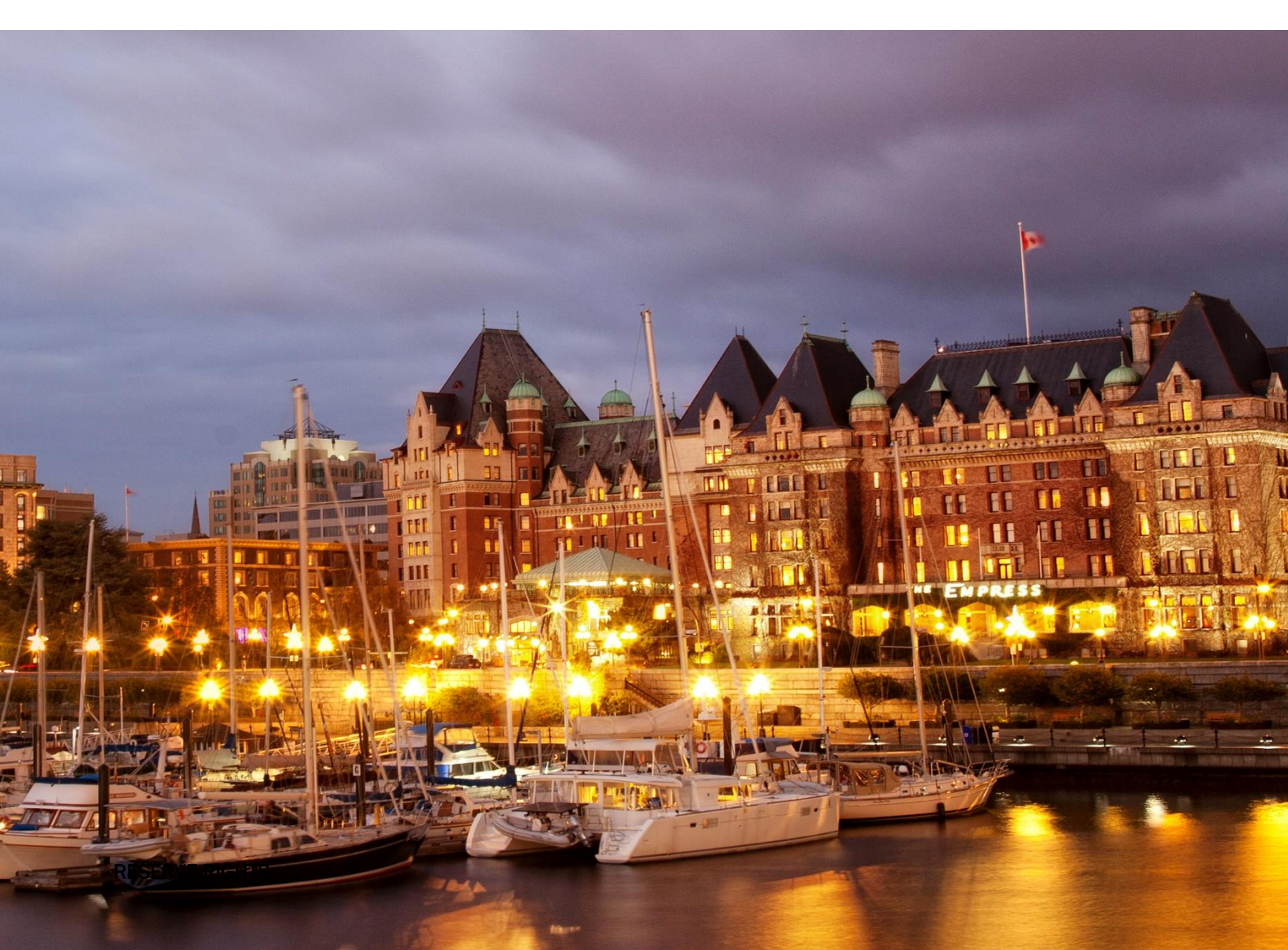
## 12. Compliance and Reporting

- a) The applicant should report incidents relating to safety, health, behaviour and neighbourhood disturbance to the City.
- b) When incidents relating to safety, health, behaviour and neighbourhood disturbance occur:
  - i) The applicant should take immediate corrective actions, or if issues are identified following the event, propose corrective measures for future applications for the same event; and
  - ii) If corrective measures in response to incidents are inadequate, the event may be terminated, and/or future events may not be permitted.
- c) City staff may request the applicant commission a monitor acceptable to the City, and/or pay for Police to attend the event to observe and record any issues relating to safety, health, neighbourhood impacts, and compliance with the specific terms of the City permit.
- d) City staff may monitor events for compliance with a permit and these guidelines.

## 13. Review of Guidelines

These guidelines will be:

- a) Amended as conditions warrant or when changes are made to provincial regulations; and
- b) Reviewed every five years by an inter-departmental committee with input from other agencies and event organizers.



**SOCIABLE CITY EVALUATION  
VICTORIA, BRITISH COLUMBIA  
SEPTEMBER 13, 2019**

**PREPARED FOR:**

City of Victoria

**PREPARED BY:**

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Responsible Hospitality Institute  
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**SOCIABLE CITY EVALUATION  
VICTORIA, BRITISH COLUMBIA  
RESPONSIBLE HOSPITALITY INSTITUTE  
SEPTEMBER 13, 2019**

**TABLE OF CONTENTS**

**EXECUTIVE SUMMARY ..... 1**

**VICTORIA – BETWEEN NO LONGER AND NOT YET..... 1**

**EMBRACING POSITIVE MARKET FORCES WITH BALANCED GOVERNMENT POLICY ..... 2**

**ACTION PLAN RECOMMENDATIONS..... 3**

**OVERVIEW OF TRENDS AND CHALLENGES ..... 4**

**RHI’S FRAMEWORK ..... 5**

**BACKGROUND ON RHI ..... 5**

**BUILDING BLOCKS OF A SOCIABLE CITY ..... 5**

**OVERVIEW OF GLOBAL NIGHTTIME ECONOMY TRENDS AND ISSUES ..... 6**

**ALCOHOL, MUSIC AND PEOPLE: SOCIABILITY AND RISK ..... 6**

**LAY A FOUNDATION ..... 10**

**A1: ELEVATE THE SOCIAL VENUE BUSINESS LICENCE ..... 10**

**A2: IMPROVE LICENSING PROCESS ..... 15**

**A3: ESTABLISH A SOCIABLE CITY ALLIANCE ..... 18**

**A4: DEVELOP “AGENT OF CHANGE” POLICY ..... 21**

**A5: DEVELOP HOSPITALITY EMPHASIS AREAS ..... 23**

**A6: CONDUCT AN ECONOMIC IMPACT STUDY ..... 25**

**PLAN FOR PEOPLE ..... 28**

**P1: REVISE SOUND POLICIES ..... 28**

**P2: CREATE A HOLISTIC PLAN FOR MOBILITY ..... 30**

**ASSURE SAFETY ..... 34**

**S1: IMPROVE AND MONITOR DISTRICT SAFETY ..... 34**

**S2: UPGRADE LATE NIGHT (POLICE) TASK FORCE ..... 36**

**S3: ESTABLISH A HOSPITALITY AND NIGHTLIFE ASSOCIATION ..... 38**

**S4: EXPAND SECURITY RESPONSIBILITY OUTSIDE THE VENUE ..... 40**

**S5: SUPPORT SAFETY FOR VULNERABLE PATRONS ..... 41**

<b>ENHANCE VIBRANCY .....</b>	<b>44</b>
<b>V1: IMPROVE LIVE MUSIC SYSTEMS AND OFFERINGS .....</b>	<b>44</b>
<b>V2: ENHANCE SAFETY PROTOCOL AT EVENTS.....</b>	<b>47</b>
<b>APPENDIX I: REVIEW OF EXISTING POLICIES.....</b>	<b>49</b>
<b>APPENDIX II: DESIGNING LIFE AT NIGHT FOR WOMEN .....</b>	<b>51</b>
<b>CHOICE OF SOCIAL OPTIONS.....</b>	<b>51</b>
<b>STRENGTHS.....</b>	<b>51</b>
<b>OPPORTUNITIES FOR IMPROVEMENT .....</b>	<b>52</b>
<b>DESIGN AND SERVICES .....</b>	<b>53</b>
<b>INSIDE VENUES .....</b>	<b>53</b>
<b>DOWNTOWN .....</b>	<b>54</b>
<b>PERCEPTION OF SAFETY .....</b>	<b>55</b>
<b>INSIDE VENUES .....</b>	<b>55</b>
<b>DOWNTOWN .....</b>	<b>55</b>
<b>PREVENTION OF SEXUALIZED VIOLENCE .....</b>	<b>56</b>
<b>ACTIONS .....</b>	<b>57</b>
<b>PARTICIPANTS.....</b>	<b>58</b>
<b>RESOURCES AND OTHER CITY MODELS .....</b>	<b>60</b>

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## EXECUTIVE SUMMARY

The City of Victoria contracted with the Responsible Hospitality Institute (RHI) to assist with the development of a Municipal Alcohol Policy (MAP). The purpose of the study was to “provide meaningful direction to alcohol-related decision-making and management for Council and staff and the public.”

RHI held a series of interviews between May and June 2019 and reviewed background materials to generate a report with potential next steps. The report’s intention is to help the City of Victoria lay a foundation for safe, vibrant and sustainable live at night as well as establish systems to mitigate quality of life impacts, monitor and prevent crime and disorder, as well as enhance the vibrancy of the city’s nighttime economy.

### VICTORIA — BETWEEN NO LONGER AND NOT YET

Victoria is grappling with the same types of issues as larger cities in North America—from Toronto and Edmonton to Austin, San Francisco and New York City. Each is struggling to retain its cultural identity as social destinations while putting in place protections for both urban dwellers and social venues. They also share global concerns with public safety and personal health impacts associated with alcohol consumption.

Fortunately, Victoria is one of few cities in North America that has undertaken a systematic approach to nighttime economy management. Accomplishments are numerous in addressing the issues that inevitably arise from a thriving social scene: the need for late-night transportation, public washrooms, dedicated police to monitor closing time crowds, and many more. Challenges have been addressed in a timely and efficient fashion, like tasks being ticked off a checklist. Stakeholders ranging from elected officials and municipal staff to community leaders and hospitality operators are invested in making a positive change.

However, what has become clear through this assessment process is a need for a holistic, citywide plan to guide decision-making on the nighttime economy.

### EVOLVING BEYOND ALCOHOL POLICY TO EMBRACE A SOCIAL ECONOMY

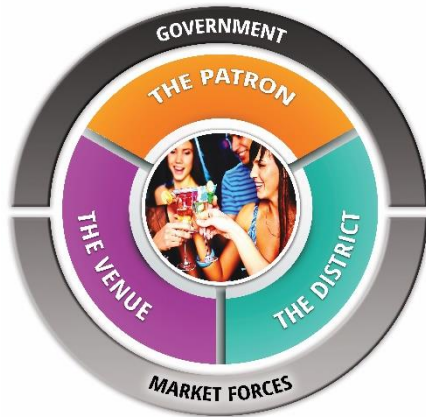
A primary focus on alcohol limits the opportunity for a broader approach to planning, managing and policing life at night<sup>1</sup>. Research, interviews and on-site meetings have uncovered an infrastructure of need that goes beyond managing alcohol consumption and encompasses diverse subjects such as:

- ▣ **Empowerment of the municipal government** over licences primarily overseen by provincial authority
- ▣ **Mechanisms to protect** both residents and legacy social venues
- ▣ **Calculation of the positive and negative impacts** of the nighttime economy
- ▣ **Planning for new residential and commercial developments**
- ▣ **Coordination of law enforcement and regulatory resources** to address risks and impacts
- ▣ **Governmental and non-governmental support systems** to sustain the vibrancy of the music and nightlife industry

Victoria is ready to make the leap and take its place among the top tier of destination cities. Yet if city leaders in Victoria don’t act soon, the city may lose the very vibrancy that makes it great—the balance between socializing, music and artistic expression with the reality of residents living in a city.

<sup>1</sup> Life at night is used when referring to a more expansive concept of “nightlife,” which may be associated with negative connotations.

**EMBRACING POSITIVE MARKET FORCES WITH BALANCED GOVERNMENT POLICY**



Some of the recommendations in this report are established best practices and are widely adopted (e.g. hospitality sector alliances). Other recommendations are concepts that are emerging now as promising tools for managing the interface between residents and hospitality venues (e.g. agent of change, hospitality emphasis areas). This is increasingly an issue in many cities experiencing a similar influx of residents into downtown areas where hospitality venues have not historically had to worry about impacts to residents.

In planning the nighttime economy, it is important to recognize the role of the patron, the venue and the district in risk management. Each is influenced by market forces and risk can be reduced through structures to promote responsibility, accountability and collaboration.

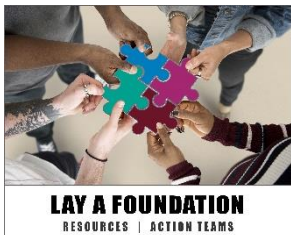
Effective policy for managing alcohol and the late-night hospitality sector involves a multi-faceted, integrated approach. A comprehensive approach ensures that there are no weaknesses which can lead to impact issues or unrealized benefits of a healthy late-night economy.

The actions in this report should be considered and adapted to form a policy that will guide the City’s approach and commitment to administer and manage the nighttime economy through clearly defined protocol, processes and City roles. While the policy will provide an established framework, the City will be required to consider commitments for action that are aligned with a new policy that will provide meaningful results. It is not meant to be prescriptive, but to provide a template for consideration and adapted to the vision of Victoria as a sociable city.

## ACTION PLAN RECOMMENDATIONS

Recommendations in the following sections provide suggestions pertaining to RHI’s Building Blocks and Six Core Measures of a Sociable City Plan. RHI’s four Building Blocks (Lay a Foundation, Plan for People, Assure Safety, Enhance Vibrancy) are used as a framework to evaluate a nighttime economy. The last three building blocks are further divided into Six Core Measures of a Nighttime Economy.

More detailed information about each action item is provided in the body of the report. While all of the policy recommendations contribute to outcomes for better management of the nighttime economy, **bold recommendations** are considered to be top priorities.



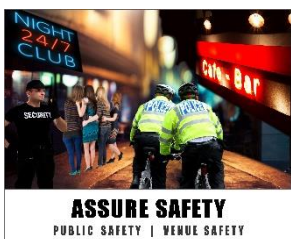
**LAY A FOUNDATION** recommendations comprise suggestions for holistic, systemic changes in the nighttime economy; they would have wide-reaching outcomes to benefit all of RHI’s six core measures of the nighttime economy.

- A1: ELEVATE THE SOCIAL VENUE BUSINESS LICENCE**
- A2: IMPROVE LICENSING PROCESS**
- A3: ESTABLISH A SOCIABLE CITY ALLIANCE
- A4: DEVELOP “AGENT OF CHANGE” POLICY
- A5: DEVELOP HOSPITALITY EMPHASIS AREAS
- A6: CONDUCT AN ECONOMIC IMPACT STUDY



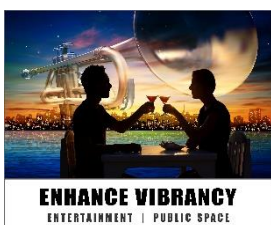
**PLAN FOR PEOPLE** recommendations focus on facilitating high standards for quality of life by addressing issues such as sound management, as well as coordination of safe mobility options to/from and within the district.

- P1: REVISE SOUND POLICIES
- P2: CREATE A HOLISTIC PLAN FOR MOBILITY



**ASSURE SAFETY** recommendations engage a continuum of public, private and government stakeholders vested in public safety to systematize an approach to nightlife safety, organize nightlife businesses and reduce alcohol-related harm and disorder.

- S1: IMPROVE AND MONITOR DISTRICT SAFETY
- S2: UPGRADE LATE NIGHT (POLICE) TASK FORCE
- S3: ESTABLISH A HOSPITALITY AND NIGHTLIFE ASSOCIATION
- S4: EXPAND SECURITY RESPONSIBILITY OUTSIDE THE VENUE
- S5: SUPPORT SAFETY FOR VULNERABLE PATRONS



**ENHANCE VIBRANCY** recommendations offer ways to support the creative entrepreneurs, performers and social spaces that comprise the nighttime vibrancy of a city through partnerships and awareness-raising among elected officials.

- V1: IMPROVE LIVE MUSIC SYSTEMS AND OFFERINGS
- V2: ENHANCE SAFETY PROTOCOL AT EVENTS

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## OVERVIEW OF TRENDS AND CHALLENGES

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AESTHETIC BEAUTY, COASTAL LANDSCAPE AND MILD CLIMATE are among Victoria’s top natural assets. Yet the city has evolved far beyond its moniker as Canada’s Garden City and the city of hanging flower baskets. Downtown Victoria has emerged as the primary entertainment destination for Greater Victoria. While the city has a population of 85,792, the metropolitan area of Greater Victoria (comprised of 13 municipalities, three electoral areas and 10 Indian reserves) has a population of 375,000, making it the 15th most populous Canadian metropolitan area. Victoria, capital city of British Columbia, is the 7th most densely populated city in Canada. Dining, entertainment, events and festivals are regional attractions for residents of Greater Victoria and beyond, as evidenced by the steady influx of cruise ships, ferries and flights.

Tech companies have also arrived to take advantage of the live-work-play opportunities in Victoria. In 2016, the tech industry in Victoria comprised “900 tech companies, 22,000 employees and over \$3 billion in total revenue.”<sup>2</sup> The City of Victoria has shifted from a “sleepy” and “peaceful” community to a vibrant city of entrepreneurs and start-ups.<sup>3</sup> This trend has resulted in increased sighting of a now ubiquitous bird—the construction crane—dotting the landscape. A new cohort of residents have eagerly filled new residences throughout downtown and more are coming.

Spaces for sociability—cafes, restaurants, bars, pubs, clubs, and live music venues—are the primary drivers for why downtown is an exciting place to visit and live. This is reinforced by tourism’s status as the city’s #2 economic contributor. The hospitality industry and its supporting services (e.g. musicians, fashion retail, graphic design, sound equipment) are a significant part of tourism and community cohesion. Yet this industry is a fragile one—susceptible to changes in the market and the effects of gentrification (i.e. increasing rents, insurance costs, etc.). Hospitality business operators seek to respond to the demand for more sophisticated social opportunities but need city support and greater late-night sector collaboration to succeed.

Growing pains are evident as city leaders struggle to balance downtown Victoria’s status as social destination and home to a community of residents. Lively late-night socializing can generate sound impacts, crowds of people waiting for a ride home and increased trash and litter. Predators can be attracted to the large crowds of people, who may be more vulnerable to assault or robbery if impaired by alcohol or other substances. Nightlife disturbances have mobilized downtown residents to bring awareness of the impacts they experience. These issues are likely to escalate in the next 18 months when 1,700 additional residential units are occupied by 2,500-3,000 new residents downtown. Ensuring that residents enjoy a good quality of life and that the hospitality sector continues to flourish requires appropriate policies that are mutually beneficial and do not create an unreasonable implementation burden. Now is the time to create systems to transition from an adversarial environment to one that facilitates coexistence and balance of uses.

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<sup>2</sup> <https://www.cbc.ca/news/canada/british-columbia/tech-victoria-inspirationseries-1.3446906>

<sup>3</sup> <https://douglassmagazine.com/victoria-bc-is-a-city-of-entrepreneurs-startups-technology-innovation/>

## RHI'S FRAMEWORK

### BACKGROUND ON RHI

The Responsible Hospitality Institute (RHI) was founded in 1983 by Jim Peters as a non-government organization to assist businesses and communities create safe and vibrant places to socialize.

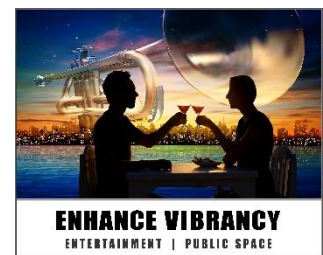
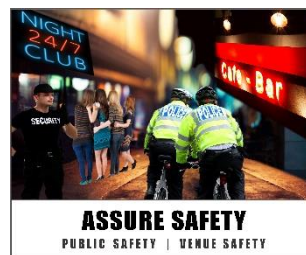
Beginning with the 1984 Northeast Conference on Alcohol Server Liability, RHI facilitated a series of conferences, led an international network defining standards on responsible beverage service, participated in federal advisory panels on alcohol policy, particularly related to impaired driving, and participated in research studies evaluating the impact of business policy and staff training on reducing patron intoxication.

In the early 2000's, RHI's work evolved to a district management approach, recognizing trends in urban development for dense housing, public transit, and concentrated retail activity in or near city centers. RHI has decades of experience on alcohol policy initiatives and has consulted with more than 70 US and Canadian cities.

### BUILDING BLOCKS OF A SOCIABLE CITY

RHI's current framework to evaluate a city's nighttime economy is based upon "Four Building Blocks" and "Six Core Measures" of a sociable city. RHI's four Building Blocks (Lay a Foundation, Plan for People, Assure Safety, Enhance Vibrancy) are used as an overarching framework to evaluate a nighttime economy. The last three building blocks (Planning, Safety and Vibrancy) are further divided into Six Core Measures of a nighttime economy, which represent specific areas for action.

After a preliminary review of Victoria's 2009, 2016 and 2018 late night program reports, the City's implementation of strategies is consistent with this framework. RHI organized action steps in each Core Measure to convey next steps.



#### City of Victoria Late Night Program Structure



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## OVERVIEW OF GLOBAL NIGHTTIME ECONOMY TRENDS AND ISSUES

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### ALCOHOL, MUSIC AND PEOPLE: SOCIABILITY AND RISK



RHI's focus has narrowed to three important factors in managing risk and quality of life in mixed used development—Alcohol, Music, and People. Each is discussed in more depth below.

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#### THE LUBRICANT OF SOCIABILITY: ALCOHOL IS AN INTOXICANT

---

Used since the dawn of agriculture, beer, wine and spirits served as currency for centuries and influenced culture, politics and public health. It is a significant component of the economy, culture and social interaction. Yet when overconsumed, it is a substance with a high degree of risk both to individual safety and the community.

High-risk drinking can contribute to crime, harm, disorder and disturbances in social districts, where people gather to socialize in restaurants, bars, clubs and

music venues.

Successful alcohol policy seeks to reduce high-risk drinking in commercial social venues through effective policy, staff training, patron awareness and accountability and engagement with the community for supportive resources and services to manage public space activity and mobility.

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#### MUSIC IS THE HEARTBEAT OF SOCIABILITY

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Music surrounds us. Like the air we breathe, music surrounds our lives and can mark our own personal life evolution. Songs connect us to relationships, celebrations, special events and our growth.

However, one person's music can be another person's noise. As density of housing brings residents in closer proximity of nightlife activity, conflicts emerge on how to manage sound.

These conflicts have led to a global movement to preserve culture, save performance venues for talent development, and nurture a growing music economy with thoughtful policy and resource allocation to prevent conflict and embrace music and other creative performances.

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#### PLAN AROUND FOUR LIFE STAGES TO SHAPE YOUR SOCIABLE CITY

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Lifestyles and social interaction can often be correlated with age and life stage. While this represents a broad generalization, it can help raise awareness of the common stages of the age demographics of your city or district, and how well your dining and entertainment options match the different market demands.

RHI define four life stages—Singles, Mingles, Families and Jingles—with unique social experience needs, often correlated with time. Singles and Mingles tend to be young, mobile and in a relationship building stage, which often involves socializing after 10 pm, while families and older “jingles—empty nesters, business travelers and tourists—socialize during the day and evening. ([www.rhiweb.org/trends.html](http://www.rhiweb.org/trends.html))



More importantly, the dynamic trends in retail shopping, driving many to shop online rather than at brick and mortar stores, is also driving an expanded use of storefronts for social venues. A bookstore with 2 clerks and a dozen customers at any one time can transform to a restaurant or nightclub with many more staff and patrons. Multiply this transition of uses from general retail to social venues and the density of people in an area can approach that of a small arena or stadium.

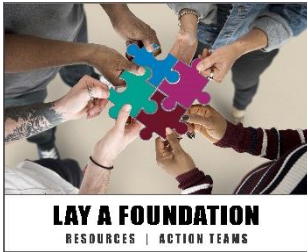
An important concept in understanding the fitness of a city in accommodating a safe and vibrant hospitality area is its “social occupancy.” Social occupancy theory is the point at which the number of people in an area with social venues maintains vibrancy and lacks disorder through strategic planning of storefront mix and infrastructure management. It can be measured by the combined total of seating capacity of social venues in a district and how well the infrastructure can support that number of people (e.g. access to transportation, public restrooms, dedicated police unit, sidewalk width, etc.).



# LAY A FOUNDATION







## LAY A FOUNDATION

The recommendations in this section, Lay a Foundation, comprise suggestions for holistic, systemic changes in the nighttime economy; they would have wide-reaching outcomes to benefit all six core measures of the nighttime economy.

# A1: ELEVATE THE SOCIAL VENUE BUSINESS LICENCE

## CHALLENGE

The degree of local control over social establishments currently in practice is inadequate to achieve desired late-night hospitality area objectives. Elevating the role of the business licence as a more active management tool is considered an effective means for addressing this concern.

## BACKGROUND

- ▣ **Provincial Licence Types for Social Venues: Fees and Processing Time**
  - **Liquor-primary licence:** “for a business whose focus is primarily the service of alcoholic beverages (e.g. a cabaret).” \$4,400 application fee and first-year licensing fee (renewal fees based upon annual liquor sales). 7-12-month processing time.
  - **Food-primary licence:** “for a business whose focus is primarily the service of food (e.g. a restaurant).” Cost: \$950 application fee and first-year licensing fee. 12-week processing time.
  - **Dual licence:** A business that has both a liquor-primary and a food-primary licence to reflect the dual operation types. Cost: \$5,350.
- ▣ **Guidelines for Operating as a Restaurant when Liquor is served in a Food-Primary Licence**
  - **Food-primary licences must have:** Operational kitchen equipment, a menu offering appetizers and main courses, furnishings and lighting appropriate for food service, business name that implies food service, financial records that prove the restaurant is primarily involved in food service, and advertising that does not primarily focus on alcohol service or entertainment.
- ▣ **City’s Oversight**

The City is only involved in the following cases:

  - **Liquor primary licences:** New applications and amendments
  - **Food-primary licences:** Only when the business owner requests hours of liquor service past midnight and/or an entertainment endorsement.

**Through a current policy, the City is not involved in the following cases:**

  - Liquor primary with licenced service up to 10:00 p.m. and having an occupant load less than 31 persons
  - Manufacturer with lounge endorsement, special event area or picnic area with licenced service up to 10:00 p.m. and having an occupant load less than 31 persons
  - A temporary extension to hours of licenced service for all licence types up to 3:00 a.m.
  - Addition of an Entertainment Endorsement to any Food Primary with licenced service up to 12:00 a.m.
- ▣ **City of Victoria’s Business Licence Bylaw**

**A Business Licence is required for all businesses that operate in the City of Victoria** according to the Business Licence Bylaw in the Victoria City Act. The Business Licence is issued or renewed by the Licence Inspector (bylaw enforcement). A Business Licence may be revoked or suspended by Council “for a reasonable length of time” if the holder of that licence: is convicted of an offence indictable by the municipal bylaw, the province or in the country; is

guilty of gross misconduct related to the licensed business that warrants suspension of the licence. Business licences are non-transferable.

## ISSUES

The City of Victoria lacks a local regulatory tool to impose operational conditions on social venues. Municipal police are technically empowered by the Liquor Act to serve as liquor inspectors to enforce conditions on province-issued licences for liquor-primary or food-primary businesses. However, they don't have the time or resources for licensing enforcement (i.e. enforcement of venues that operate outside of compliance standards or engage in risky business practices). Instead, they are dedicated to addressing violence, disorder and crowd management at night due to nightlife activity. Violations, when noted, are reported to the province's enforcement authority.

British Columbia's Liquor and Cannabis Regulation Branch also faces hurdles. There are currently insufficient enforcement resources to proactively inspect all of the city's liquor-primary and food-primary licencees, therefore the enforcement strategy is generally complaint-driven. Further, the Liquor Act's revised definition of a food-primary licensed business has been cited as difficult to enforce when a food-primary business operates like a liquor-primary business, yet without security protocols or heightened scrutiny.

### ❑ Food-Primary Licencees that Operate as Liquor Primary Licencees

Some food-primary licensed businesses morph into a bar or club in the evening, operating like a liquor-primary business. In some cases, the kitchen lights and stove may be turned off and no food sales are conducted for the full duration of the business's operation. The venue may even feature DJ or live entertainment.

Food-primary licencees thereby avoid the higher cost of the liquor-primary licence and extended processing time. Many are able to do this with impunity, without being forced to comply with their food-primary licence or acquire the dual licence. There are also cases where food primary businesses attempted to acquire, and were denied, a liquor primary licence.

The food-primary business is not required to adhere to the same safety standards as a liquor-primary business. They may lack security protocols, procedures for checking IDs, or trained security staff. They also do not typically join Bar Watch, which provides peer mentors, education and guidance on best practices for safety and alcohol consumption. While food primary licensees may contribute to nighttime crowds and management issues, they pay a lower fee for both a provincial alcohol license and the city's business license, thereby contributing less to the general funds available for management resources.

### ❑ Municipal Challenges

- Municipal police are technically empowered by the Liquor Act to serve as liquor inspectors to enforce conditions on province-issued licences for liquor-primary or food-primary businesses. However, they don't have the time or resources for licensing enforcement (i.e. enforcement of venues that operate outside of compliance standards or engage in risky business practices). Instead, they are dedicated to addressing violence, disorder and crowd management at night due to nightlife activity. Violations, when noted, are typically reported to the province's enforcement authority. Therefore, risky business practices are not addressed in a proactive or timely manner.
- Gap in city review and oversight process for businesses that may be the source of issues i.e. new food-primary business.

### ❑ Provincial (LCRB) Challenges

- **Lack of clear guidelines to enforce a food-primary licenced business operating out of compliance** (i.e. operating as a liquor-primary business). The previous Liquor Act required a 60/40 food to alcohol sales ratio, which provided quantitative guidelines to determine compliance. The revised Liquor Act relaxed the sales ratio and has more anecdotal guidelines. Patrons are not necessarily required to eat on premises. Enforcement agents describe walking into a food-primary licenced business, where "staff quickly turn the kitchen lights on and throw the token chicken thigh on the grill." There is therefore insufficient evidence that the business is out of compliance.

Further, lack of clarity and minimal enforcement personnel means that much of enforcement activity relies on the perspective and character of the enforcement officer.

- **Insufficient resources to monitor and enforce conditions** at food-primary and liquor primary businesses. There are approximately 120 liquor primary businesses and 400 food primary businesses in the City of Victoria alone. There is one LCRB agent dedicated to provincial enforcement of regulations on businesses in the Greater Victoria region.
- ▣ **City of Victoria’s Business Licence Bylaw**
  - **The Good Neighbour Agreement** was removed from the Business Licence Bylaw due to perceived duplication of existing provincial bylaw. Also, there had been no precedent for enforcement of a city business licence based on violations of the good neighbour agreement. While some duplication did exist, removal of the good neighbour agreement from the city business licence bylaw removed a local tool that could have potentially been used by city enforcement agents.
  - There was also recognition among municipal Council that the conditions outlined in the Good Neighbour Agreement would be more effective if mandated (vs. voluntary): “(Good neighbour) agreements are signed at the time the initial business licence is issued or amended, and seldom referred to subsequent to that. The effectiveness of good neighbour agreements may therefore be improved by using them more actively as a management tool.” (p.13 Committee of the Whole Report – Update on Downtown Late Night Program, 2016)
  - **Applicability:** The former Good Neighbour Agreement only applied to liquor-primary businesses. Food-primary licencees were excluded, even though they too can generate impacts if operating like a liquor primary licencee.
  - **Enforcement:** Bylaw Services is responsible for enforcement of the city’s business licence bylaw. However, the system is currently complaint-driven and anecdotally described as unassertive and reactive, rather than proactive. Further, bylaw staff do not go out at night as a matter of course.
  - **During the technical review process for a new application**, police typically provide an automatic “no” to any new liquor licence applications in downtown due to the anticipated impact on public safety and officer limitations, unless it is not expected to generate impacts due to location or business model. This may contribute to business applicants not being inclined to honestly describe their business plan and may also downplay any activities that could contribute to risk.
  - **Renewal process:** Licences are automatically renewed every year, without a review process.
  - **Concern with extra bureaucracy** with the introduction of an elevated business licence.

## DESIRED OUTCOMES

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The proposed solution is to elevate the existing business licence issued by the City of Victoria to contain operating conditions. This would thereby serve as a local enforcement tool with Bylaw Services as the enforcement agent, but also raise standards for business operations to sustain positive contributions to life at night, ensure patron safety and high standards for quality of life.

- ▣ **Issues addressed quickly** by empowering the city to take swift corrective action for businesses that engage in risky business practices.
- ▣ **Ensure all businesses (licence types) are taking responsibility** by creating a level playing field for social venues that contribute to late-night issues, regardless of their provincial licence type.
- ▣ **Ensure adherence to patron safety** and high standards for quality of life.
- ▣ **Gain greater control** over business practices by transitioning the city’s business licence into a functional operational licence.
- ▣ **Broaden the perspectives** involved in determination of criteria for business licence conditions so as to include hospitality business operators, public health and residents.
  - Establish a fair, equitable approach to licence review with clear, objective guidelines and criteria by which an application will be considered. This will help foster a level playing field with a predictable outcome for business applications.

## PROSPECTIVE DIRECTIONS

- ▣ **Identify operating conditions.** We suggest there be three components of an application for the elevated business licence:
  - **Business Plan:** Documentation of the business model, planned forms of entertainment, theme (if applicable), and products and services to be offered. It should include a realistic description of how the business will operate.
  - **Alcohol Management Plan:** Documentation of steps to be taken to reduce risk and harm associated with alcohol consumption, prevention of service to minors, and intervention strategies with at-risk individuals. Components may include staff training and use of ID checking technology.
  - **Security and Safety Plan:** Documentation of procedures for maintaining the premises, sound monitoring and mitigation from interior and exterior sources, maintaining occupancy, interior and exterior crowd management, patron queue management, lighting, and procedures for educating patrons about access to safe transportation home. Revisit components from the good neighbour agreement (e.g. inspection of outdoor areas, staff role in ensuring patrons don't obstruct pedestrian flow, staff uniforms, etc.) and Bar Watch member procedures.

It is suggested that operating conditions be reviewed and vetted first by the Late Night Advisory Committee.

## CONSIDERATIONS FOR SUCCESS:

For the elevated business licence to be successful, municipal conditions will need to complement but not duplicate provincial legislation's conditions.

The province is primarily responsible for reviewing the number of seats and closing times. The top areas for provincial enforcement are over-service and underage drinking. Therefore, the business licence conditions should focus more on factors related to preventing public disorder, managing public space, sound mitigation and safety procedures to protect the safety of patrons when inside of and when exiting the venue.

### ▣ Determine when the licence will apply

We suggest that the licence not be based on alcohol service or provincial licence type, but rather aspects of the business's operation. Here are options to consider based on when a business would qualify for the elevated business licence (choose one or more):

- (A) **Hours of operation** (e.g. open after a certain time, like 10:00 p.m. or 11:00 p.m.) This is Seattle's approach.
- (B) **Provision of entertainment** (e.g. recorded music, DJ, live performance). This is San Francisco's approach. (Note: San Francisco also has a clear definition of "entertainment" that can be adopted.)
- (C) **Determine the minimum seating capacity** that this would apply to.

Note: Special event permits should also be updated to have the same conditions as what is required for businesses that qualify for an elevated business licence. San Francisco has an example of a one-time event permit for spaces that are not regularly used for entertainment or social activities, which has a lower set of requirements compared to conditions for a fixed-place venue.

### ▣ Ensure consistency of enforcement

Consistency in enforcement will be key to the level of perceived authority of the elevated business licence.

- Confirm whether bylaw services would be the enforcement agency responsible for enforcing conditions.
- Dedicate adequate resources to nighttime enforcement deployment.
- Establish clear and specific guidelines for consequences associated with a certain number of violations that will lead to citations, suspensions and revocations. Clarify vague language in the current bylaw regarding suspension for a "reasonable amount of time."

▣ **Implement in phases**

- **Establish communication protocol** between the city’s bylaw enforcement with provincial LCRB re: revocation or suspension of the business licence, which should do the same for the food primary or liquor primary licence.
- **Require annual renewal process** to serve as an intervention point to assess a business’s level of compliance, number of violations, calls for service, noise complaints, etc. to determine if the business should be renewed or receive additional conditions upon the licence. Determine specific guidelines for when a business will be renewed vs. not renewed. Review any changes in business ownership or business model.
- **At the point of renewal**, there are two options for how to address existing businesses already in operation:
  - (A) All qualifying businesses are required to meet the requirements of the elevated business licence.
  - (B) Only businesses that have received violations (the number and type TBD) will be required to meet the requirements of the elevated business licence.
- **Sequence for Business Licence Approval:** The city business licence process would need to be effective in the processing sequence for a business application/approval. Ideally, an operator should have their business plan reviewed and approved prior to signing a lease. (Note: acquisition of the provincial licence should also ideally be moved to the front of line. This is discussed further in action A2.)

▣ **Considerations for implementation**

- Allocation of staff resources to review and process new business licences, as well as conduct nighttime enforcement.
- Charge additional revenue fees for the licence to cover the cost of staffing.

**OTHER CITY MODELS & RESOURCES**

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**This approach could offer some guidance when it comes to transitioning to a more active business licence management approach.**

**Monterey, CA’s Nuisance Ordinance**

All new businesses were given conditional use permits that defined hours of operation, entertainment options, security, etc. Previously operating businesses were grandfathered in. If a grandfathered business received five complaints from different sources (not the same person), the city could retroactively impose conditions. The business had 90 days to address the problem. If they didn’t, the city could limit hours, require security, and/or take away entertainment.

**Toronto’s Nighttime Bylaw Enforcement Team**

In 2019, Toronto Bylaw Enforcement created a team of municipal standards officers to inspect nightlife venues at night.

## A2: IMPROVE LICENSING PROCESS

### CHALLENGE

Improvement areas that will help the city and provincial licensing processes include staff coordination during the review process, management and administration of the licence, and development of business navigation resources. There is often a lack of clarity about the overall review process, which can cause frustration amongst applicants and result in a lack of timely consideration of key factors for planning venue licensing. If the municipal licence is elevated as recommended, the initial review process should be administered as effectively and efficiently as possible. Further, the Business Hub is an excellent resource, but is under utilized by social venues in navigating permits and licences required for opening and expansion.

### BACKGROUND

#### ▣ Current Sequence of City and Provincial Licences

For existing food primary or liquor primary applications, an applicant can complete a liquor application to the province, and then a business licence with the City. The timeframe is dependent on a few things with regards to whether building, plumbing, electrical work and permits are required. If the business is not doing any changes or renovations, and it's simply a new owner, all that is required is a new liquor licence from the province, and a business licence application completed for the City, a VIHA inspection, and this can usually be completed in ten days. Approval by VIHA and the building department is necessary before the City can issue a city business licence.

#### ▣ Application Review Process

- **Technical Review:** A group of city staff individually (police, planning, engineering and bylaw enforcement) review business liquor applications with regards to possible implications of the licence application and present their findings to Municipal Council for review.
- **Community Review Process:** There is a community review and notification process about new business applications for liquor-primary businesses. Improvements are being made to clarify language used in notifications and provide quantitative ratings to fill out in order to make feedback more consistent.
- **Municipal Council** reviews the technical review report. They conduct a hearing, which can be attended by the general public. Council may suggest additional operational conditions (e.g. hours of operation, occupancy) be added to the business and submit their recommendation to the province.
- **BC Liquor and Cannabis Regulation Branch** reviews Municipal Council's recommendations and either issues or does not issue the licence. In the majority of cases, the province follows Municipal Council's recommendations. Operating conditions, if there are any, are applied to the provincial licence.

#### ▣ Business Support and Development Services

- Social venues are like any other small business sector, however usually without dedicated support services from the city.
- Victoria's Business Hub was identified as an action from the mayor's 2015 task force on economic development and subsequently opened and staffed by a business ambassador in 2016. While the intention of the hub was to serve as the "one-stop shop" for all new businesses, it's not always the first-place people go when starting a new business. The trend for engagement with the hub has been start-ups, expansions and entrepreneurs who have never been in business before. Last year, 500 businesses engaged with the Hub, which is just 5.5% of the total new business licences issued last year (9,000). Note: The Business Hub does not process business licence applications, however the ambassador works closely with the business licensing team.
- The City's Manager of Permits and Inspections tends to be the first touch point to the city for businesses with liquor licences; they have been tasked with assisting businesses to navigate the system, but they are not just dedicated to liquor licences. City of Victoria's Manager of Permits and Inspections is informally in the role of helping business applicants navigate the process of acquiring city and provincial licences, but not everyone

knows to go to this department first and demand is relatively small. There are only about 12-15 new applications for liquor licences every year. There is a need to triangulate inquiries for a new liquor licence.

## ISSUES

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### ▣ Process Issues

- **Perceived lack of transparency, consistency and fairness for decision making** about business applications brought before Municipal Council. There is a perception that councillors arbitrarily approve, reject or apply conditions upon a licence on a case-by-case basis.
- **Councillors have identified legitimate concerns about applications** e.g. proximity to residences, discrepancy between what was presented to residents and what was in their application regarding hours, occupancy, etc. Yet they lack a clear set of guidelines for decision-making.
- **Limited inter-departmental communication** about business applications and hours extension requests to assess risks, evaluate readiness and if applicable, suggest conditions upon the licence. Each department reviews applications individually and sends in separate reports. The group of city staff members who review business applications does not have the broad composition of the Late Night Advisory Committee. Also, they each receive notifications separately about new business applications and don't convene in one room to discuss the application.

### ▣ Sequence Issues

- **Liquor licence review by Municipal Council is typically the last step** in the property development process, when it should be one of the first requirements. Currently, a business applicant may already have started (or finished) construction/renovation, staff hiring, etcetera. Licence conditions (e.g. hours of operation, capacity/occupancy load) recommended by Council for the provincial authority's review can drastically impact a business plan. Licence approval and conditions should therefore be considered early in the business development process.
- **Lack of awareness among some developers** about restrictions associated with alcohol service (e.g. hours of service, occupancy) based on location until after construction has begun. There is an assumption that they will receive a liquor licence, and therefore, they wait until the end of the process to apply for one.

▣ **Communication of new requirements** as a result of a new alcohol policy and elevated business licence is important in ensuring that the process is understood and followed.

▣ **Business Hub** is under-utilized as a resource by the hospitality sector.

▣ **Lack of posted guidelines and suggested process of engagement** with the city and province to open a food-primary or liquor-primary business.

## DESIRED OUTCOMES

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▣ **A clear process for approval** that is well-communicated and understood in the community

▣ **Harmonization of the local business** and provincial liquor licence application review processes through City Hall.

▣ **Improved approval process/coordination** among business departments.

▣ **Raised awareness about the Business Hub** as a resource for liquor licence applications and corresponding City policy.

## PROSPECTIVE DIRECTIONS

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▣ **Develop a concurrent review process** for city business licence (if elevated as per Action A1) and provincial liquor licence applications.

▣ **Adjust the timing of the business planning process** so that liquor licence requirements are one of the first considerations, rather than one of the last.

- ▣ **Determine the Review Body for Elevated Business Licences** (for new businesses and businesses that have received a prescribed number of violations, suggesting that they are subject to additional conditions under the elevated business licence)
  - **Option A:** The inter-departmental staff team continues to review business licence applications.
    - **Pro:** Staff already assigned to this task.
    - **Con:** Lacks broader, more balanced composition of representation for the review body.
  - **Option B:** A Sociable City Alliance (if Action A3 is implemented: Establish a Sociable City Alliance) assumes responsibility for this role.
    - **Pro:** Broader, more balanced composition of review body, which can include representation from hospitality industry, residents and public health.
    - **Con:** Longer-term goal; dependent upon formation of a new group, which may take time.
  - **Final Approval: Regardless of the option selected,** Municipal Council remains the authority with final approval, with the assurance that applications have been vetted using objective guidelines.
  - **Elevate the Business Hub's** importance to increase usage of this currently under-utilized resource. Communicate to business owners and staff that the process begins with the Business Hub as the first entry point into the city to get the city business licence.
  - **Create a guide for businesses** with liquor primary licences and food primary licences to help them navigate the process of opening and operating a business. (Note: Business Hub is already working on development of this resource.)

## OTHER CITY MODELS & RESOURCES

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- ▣ **Seattle's Nightlife Establishment Handbook** provides guidance and assistance navigating rules and regulations to open or operate a nightlife establishment. Content includes city permits, zoning, parking restrictions, business licences and tax requirements. <http://www.seattle.gov/filmandmusic/nightlife/nightlife-handbook>
- ▣ **San Francisco Website as central location for Resources to Support Nightlife Businesses:** <http://nightlifesf.org/assisting-nightlife-businesses/> NightlifeSF is a project of the San Francisco Office of Economic and Workforce Development. Handbook can be found at <http://nightlifesf.org/sf-nightlife-business-handbook/> to help nightlife businesses successfully operate and acquire permits from a number of government agencies.

## A3: ESTABLISH A SOCIABLE CITY ALLIANCE

### CHALLENGE

Realization of more ambitious goals for the late-night economy are constrained by the terms of the Late Night Advisory Committee.

### BACKGROUND

The Late Night Advisory Committee serves to advance objectives and actions items identified in the Late Night Strategy developed in 2010. A group of core stakeholders are convened on a quarterly basis to discuss nighttime economy issues, collaboratively brainstorm solutions and identify actions to emerging issues. Members include representatives of:

<ul style="list-style-type: none"> <li>○ Municipal Council liaison</li> <li>○ City government (e.g. Victoria Police, Downtown Coordinator)</li> <li>○ BC Liquor and Cannabis Regulation Branch</li> </ul>	<ul style="list-style-type: none"> <li>○ Downtown Victoria Business Association</li> <li>○ Residents Association</li> </ul>	<ul style="list-style-type: none"> <li>○ Bar and cabaret owners</li> <li>○ BC Restaurant &amp; Food Services</li> <li>○ Hotel Association of Greater Victoria</li> </ul>
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Recommendations of the group are considered within the terms of reference of the strategy and any additional direction provided by Council in response to periodic reporting on the program. Any identified actions must be supported by allocated staffing and resources or through efforts of member organizations. Where a prospective initiative or recommendation is outside the terms of reference for the program, a resolution is drafted and communicated to Council through the Council Liaison.

In other jurisdictions, effective direction for late-night management is provided through an autonomous Sociable City Alliance (a.k.a. nightlife council, coalition, commission, office, department or task force). Similar to the Late Night Advisory Committee, an alliance can review conditions, monitor initiatives and provide leadership. An alliance can achieve the following objectives:

- **To preserve and advocate** for the social, cultural and economic value of dining and entertainment
- **To monitor overall trends** in the nighttime economy, which may require new resources, education or legislation
- **To train and educate nightlife stakeholders** to operate successful, sustainable businesses
- **To ensure public safety** while minimizing quality of life impacts
- **To oversee compliance** with codes and policies
- **To liaise between government agencies** and the nightlife industry in regard to regulation, policy and procedures

### CONSIDERATIONS FOR PLACEMENT OF AN ALLIANCE

Placement of an alliance will determine the group's level of authority, ability to affect change and respectability in the eyes of the industry and the community at large. Ideally, alliances within city government have leverage with other agencies and sustainable funding. Yet government-based alliances can also be perceived as another regulatory hurdle for businesses to overcome, rather than a resource and advocate for the nighttime economy. Meanwhile, alliances outside of city government have the benefit of independence and flexibility in programming, yet no authority nor dedicated staff, relying instead on the passion and investment of volunteers.

Over time, placement issues can be overcome, but real-world examples have proven that poor placement can impact sustainability. For pros and cons of different structures, see link to *RHI's Overview on Sociable City Alliances*:

[http://www.rhiweb.org/documents/alliances\\_managers.pdf](http://www.rhiweb.org/documents/alliances_managers.pdf)

## ISSUES

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The development of an autonomous alliance requires the motivation of prospective member organizations. While this has been generated elsewhere, its not clear that motivation is present or that the factors that would generate such motivation have been presented.

The Late Night Advisory Committee could continue in its current role, in which case some improvements should be considered:

- ▣ **Terms of Reference.** Consideration may be given to creating more formal terms of reference for the Late Night Advisory Committee. This would provide greater clarity in terms of specific mandate, reporting structures and overall expectations.
- ▣ **Membership.** Membership currently captures key downtown organizations, however it is noted that there is only one woman on the committee and no students or younger adults. Consideration should be given to consider addressing representational deficiencies, especially in conjunction with the specific roles and functions that the committee is expected to provide.
- ▣ **Resources.** Resourcing of the committee should be commensurate with expectations. Existing resources are provided through the ongoing program budget (e.g. police, taxi stand attendants), as well as any other specific initiatives identified by Council.
- ▣ **Staffing:** There are no dedicated staff specifically assigned to the nighttime economy.

## DESIRED OUTCOMES

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- ▣ **Strengthen support for Council and leadership** provided for the Late Night program and overall goals for the late-night economy
- ▣ **Ensure sustainability of the Late Night Advisory Committee** structure to withstand changes in political leadership.

## PROSPECTIVE DIRECTIONS

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Formalize the **Late Night Advisory Committee** or transition into a Sociable City Alliance.

- ▣ **Purpose:** The Sociable City Alliance is intended to set a vision for the direction of the nighttime economy, identify challenges and develop solutions. One of their first tasks will be to develop criteria for when an elevated business licence will apply and what operational guidelines will need to be abided by qualifying businesses. Additional roles could also be to serve as an intermediary between developers and nightlife venues during implementation of Agent of Change policy (if carried forward).
- ▣ **Determine the structure and placement of the alliance** based on *RHI's Overview on Sociable City Alliances*.
- ▣ **Create or hire a dedicated staff position** to serve as an executive director and administrator of the Alliance. They will be responsible for convening the group, ensuring follow-through and supporting the Alliance in its goals, as well as moving forward new policies or procedures to help facilitate safe and vibrant places to socialize.
- ▣ **Formalize terms of reference for the LNAC.**

## OTHER CITY MODELS & RESOURCES

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### *RHI's Overview on Sociable City Alliances.*

A guide for how to structure a sociable city alliance charged with guiding a city's nightlife, including pros and cons of different structures, preliminary tasks and the job description for a night mayor/nighttime economy manager.

View: [www.rhiweb.org/documents/alliances\\_managers.pdf](http://www.rhiweb.org/documents/alliances_managers.pdf)

Cities in the U.S. such as New York City, San Francisco, Seattle and Washington, DC have recognized the need to establish an official Office or commission to oversee nightlife management.

Examples of the purpose of such offices:

- ▣ **“New York City's Office of Nightlife** serves as a central point of contact among the nightlife industry, community, and City agencies...The Office of Nightlife works to support these important contributions by coordinating City services and programs to promote responsible growth, diversity, creativity, inclusion, and quality of life for all New Yorkers and visitors from around the world.”<sup>4</sup>
- ▣ **“Mayor's Office of Nightlife and Culture (MONC):** The new office will promote efficiencies for the District's after-hours economy by serving as a central point of contact between DC Government, the nightlife industry, and District residents.”<sup>5</sup>
- ▣ **San Francisco's Entertainment Commission** was formed with a focused purpose in the management of nightlife and entertainment venues with the “the powers and duties to accept, review, gather information regarding, and conduct hearings for, entertainment-related permit applications.”<sup>6</sup>
  - San Francisco's commission model has the advantage of stability, regardless of changes in political leadership, because it was embedded into the city's charter through a vote of the people. The diverse composition of commission members was also ideal by ensuring independence from the City by ensuring different stakeholder groups be included such as city neighborhood associations, entertainment associations, urban planning, law enforcement and public health.

<sup>4</sup> <https://www1.nyc.gov/site/mome/nightlife/nightlife.page>

<sup>5</sup> <https://moca.dc.gov/page/mayor%E2%80%99s-office-nightlife-and-culture-monc>

<sup>6</sup> <https://sfgov.org/entertainment/>

## A4: DEVELOP “AGENT OF CHANGE” POLICY

### CHALLENGE

Impacts and conflicts between social venues and residents occur on an increasing basis. There is no consistent approach for ensuring that potential impacts are identified and mitigated throughout the approval process.

### BACKGROUND

When a new residential development is proposed near an existing social venue or vice versa, coexistence challenges can be anticipated, especially regarding nighttime sound disturbance and management of traffic. In several cases, owners/operators of existing hospitality venues have directly approached residential developers or spoken at council meetings to advocate for better soundproofing of the residential development. When required by City Council, developers have complied, however additional soundproofing is not usually done voluntarily.

- ▣ **Early Review Process:** All new developments require a Development Permit, which provides an opportunity for early input where a licenced premise is being considered. Comments on capacity, hours and spatial configuration can thereby be factored into planning.

### ISSUES

- ▣ **No requirement to implement higher design and construction standards to reduce sound impacts for:**
  - New social venues that will be located in proximity to an existing residential development
  - New residential developments that will be located in proximity to an existing social venue
- ▣ **No suggestion that the developer undertake an acoustical study or consultation.** Soundproofing is more expensive after a building has been constructed.
- ▣ **No building standards exist** to accurately reflect Victoria’s contemporary mixed-use environment and sound management needs.
- ▣ **No mandatory disclosures or notification process for new residential or hotel developments** to disclose to their potential owners, residents or guests about nearby social venues.
- ▣ **During the development approval process liquor licence applications are not flagged where there may be a concern with neighbour impacts** i.e. notification is not communicated to other city departments or the community at this stage.
- ▣ **Heritage preservation restrictions.** There are a number of heritage buildings where advocates wish to retain the heritage windows. Those tend to be the buildings with the largest number of resident complaints.

### DESIRED OUTCOMES

- ▣ **Increased compatibility** between residential and entertainment uses through development process.
- ▣ **Proactive mitigation of sound and livability impacts** for new developments of either a residence or social venue in proximity to each other.
- ▣ **Preservation of the viability and positive contributions** to the fabric of the city of existing social venues.
- ▣ **Preservation of the quality of life** of existing residential developments.
- ▣ **Engagement with the developer** as early in the development process as possible.
- ▣ **Updated building standards to accurately reflect sound management** needs in Victoria’s contemporary mixed-use environment.
- ▣ **Clear direction for review of residential, hotel and social venue development** plans proposed within a certain number of feet of each other, including provisions to be considered for managing impacts (e.g. sound).

## PROSPECTIVE DIRECTIONS

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**Develop Agent of Change** policy establishing design and construction guidelines where residences and social venues are located in close proximity.

- ▣ **Require Developers of New Residential/Hotel/Motel Developments to:**
  - Formally acknowledge the presence of venues within a certain distance of their proposed location and build using construction standards for mitigating sound impact.
  - The City is encouraged to engage a sound engineer to determine a broad scope of how sound measurements can be completed and set standards to mitigate sound impacts. Individual businesses may opt to contract with a sound engineer for a customized plan based on their building layout/configuration, business operations and surrounding environment.
  - Provide a disclosure to new tenants regarding the locations of venues within a certain distance of the building when property or individual units are sold or leased.
- ▣ **Require Developers of new social venues to:**
  - Acknowledge residential and hotels within a certain distance and take responsibility to mitigate sound impact from the venue.
  - Develop a Sound Impact Plan to manage amplified sound from a venue that may impact an existing residence(s) or hotel.
  - Provide a disclosure about nearby residential and hotels when a venue is sold or leased.
- ▣ **Determine consistent distance guidelines to trigger Agent of Change.** Consider density of development, how far sound travels, height of buildings, etc. In San Francisco, CA, the radius is 300', while in Austin, TX, it's 600'.
- ▣ **Communicate with developers and venue operators** throughout the review process to engage in informal conversations about compatibility with all relevant parties to get buy-in about construction standards prior to official implementation of Agent of Change policy.
  - Identify buildings within a certain distance of active social venues.
  - Overlay a map of existing entertainment venues and planned residential developments.
  - The relevant parties should be contacted regarding developments that are currently in review or were submitted within the last one to two years.
- ▣ **Embed Agent of Change** requirements in the Development Permit approval process for residential and hotel developments. In cases where it is not known if a licensed hospitality business will occupy a new building, it will be up to the developer to consider taking measures for mitigation of neighbourhood impacts if they wish to keep that option open.

## CONSIDERATIONS FOR SUCCESS

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When Agent of Change was applied in other jurisdictions, it was critical to map out the current development process to identify gaps and improvement areas, as well as determine the different entry points to the city process. The efficacy of the legislation is dependent on “capturing” all projects regardless of their touch point in the city or scale of the project to ensure no development “slips through the cracks.” Education and awareness raising will also be needed for all city staff that serve as touch points to the city by developers.

## A5: DEVELOP HOSPITALITY EMPHASIS AREAS

### CHALLENGE

There is often a lack of clarity about whether a hospitality venue with a proposed capacity and operating hours is compatible with residential use in a particular area.

### BACKGROUND

Victoria has a compact downtown which has provided the primary entertainment area for the region for many years. Over the last decade, the dramatic increase in downtown residential development has closed the geographic proximity of the hospitality venues and the residential buildings. There are a range of tools to manage impacts between venues and residences, however, when there is immediate adjacency between the two, there are few options.

The proposed agent of change policy helps address issues where a potential development is locating next to an existing use where impacts are expected and can be mitigated. However, where issues are irreconcilable (e.g. general street sounds from people at night), it can be beneficial for decision-making to identify which interest may be primary for the area.

The advantage of setting out “emphasis areas” is that future uses can be anticipated. For example, a planned residential building may incorporate sound mitigation measures where it is located in the middle of the hospitality emphasis area, even though there may not yet be such a social venue nearby. Agent of change policy will not provide such consideration.

The idea of considering zones has been discussed in City documents in the past. The City Liquor Licensing and Policy information document (2013) notes that “...neighbourhood compatibility decreases as the neighbourhood context moves from predominantly noise tolerant (e.g. commercial or industrial) to noise intolerant land uses (e.g. residential),” and goes on to discuss how noise zones may be applied to consideration of liquor licence applications.

### Examples of Cities with Designated Entertainment Zones

Cities in the U.S. and Canada have created designated entertainment zones to boost tourism, increase economic output, and assist with planning and zoning purposes to designate right-of-use and conditional uses. Examples include:

- ▣ **Charleston, South Carolina** limits combined seating capacity of social venues to 1,000 seats, whether ten 100 seat venues or four 250 seat venues.
- ▣ **Fort Lauderdale created an entertainment district** and removed distance requirements, as well as allowed higher sound levels.
- ▣ **New Orleans’ Frenchman Street** has an overlay limiting percent of storefronts that can be social venues and requires windows and doors be closed during entertainment hours to avoid becoming another “Bourbon Street.”
- ▣ **New York City’s Meatpacking district** was designated an entertainment area with restrictions on residential development.
- ▣ **San Diego’s Gaslamp district** created an overlay defining the area for dining and entertainment activity.
- ▣ **Springfield, MO’s Commercial District** has different designations for low, medium and high intensity hospitality areas.
- ▣ **Toronto, ON has a formal Entertainment District** governed by a Business Improvement Association (BIA).

Planning for and allowing higher levels of entertainment uses in certain parts of the city can help to take preventative measures to better mitigate impacts and coordinate and deploy resources in a more concentrated area. However, if not

well planned and managed, impacts may be more heavily concentrated, as well. Not having any plan at all can result in co-existence challenges.

## ISSUES

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- ▣ **Gap in identification of emphasis areas of the City** where social activity in private and related public space late at night is best suited. This would inform decision-making where trade-offs are required.
- ▣ **Limited understanding of the City's social occupancy for late-night activities** that would inform the total numbers of seats and types of activities it is able to support.
- ▣ **No plan for desired locations** to direct future social venue development.
- ▣ **Zoning for downtown allows** for both residential and commercial uses in all parts of downtown, therefore it is not a helpful tool in considering impacts from different types of use.

## DESIRED OUTCOMES

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- ▣ **Delineation of areas** that would indicate hospitality, residential and mixed-use emphasis areas.
- ▣ **Sufficient operational details** for each zone to guide resolution for key factors in operation (e.g. closing time) without being unnecessarily prescriptive.
- ▣ **Accommodation of both uses** as much as possible within the terms for each area.

## PROSPECTIVE DIRECTIONS

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- ▣ **Designate hospitality emphasis areas based on a review of downtown current and future uses**
  - **EZONE 1 – Hospitality Priority:** Late-night food, beverage and entertainment venues welcome (e.g. Blanshard to Wharf, Pandora to Humboldt)
  - **EZONE 2 - Mixed Use:** Hospitality sector important, but mutual accommodation required (e.g. areas surrounding the above zone that are associated with hospitality)
  - **EZONE 3 – Residence Priority:** Residential areas where hospitality impacts are not tolerated
- ▣ **Establish criteria for different levels of intensity of nightlife businesses**—what is considered low, medium and high intensity.
  - Consider closing times, density (number of seats within a defined area), structural requirements, managerial direction. For example, a 2:00 a.m. closing for venues may be acceptable 7 days a week in Ezone 1, whereas in the mixed use zone it may be 1:00am on weekends.
  - Align with agent of change when considering existing conditions.
- ▣ **Harmonize sound requirements of emphasis areas with other revisions when Noise Bylaw is updated.**
- ▣ **Determine factors for designating and supporting hospitality and mixed priority areas:**
  - Total combined seating occupancy of all social venues i.e. food-primary and liquor-primary licences
  - Mobility: parking availability, extended bus service capacity, taxi supply, coordination of micro-transit options
  - Sidewalk width
  - Public safety resources to manage crowds
  - Trash receptacles and frequency of pick-up
  - Access to public restrooms

## A6: CONDUCT AN ECONOMIC IMPACT STUDY

### CHALLENGE

The value of the late-night economy is often not fully recognized and therefore opportunities may not be developed and sufficiently resourced.

### BACKGROUND

Spaces for sociability—cafes, restaurants, bars, pubs, clubs, and live music venues—are the primary drivers for why downtown is an exciting place to visit and live. The hospitality industry and its supporting services (e.g. musicians, fashion retail, graphic design, sound equipment) are a significant part of tourism and community cohesion. Yet this industry is a fragile one—highly susceptible to changes in the market and the effects of gentrification (i.e. increasing rents, insurance costs, etc.). Hospitality business operators seek to respond to the demand for more sophisticated social opportunities, but they need city support and greater peer-to-peer collaboration to succeed. An economic impact study can help raise recognition of the value of the nighttime economy and be a “game-changer” for the cities that undertake it.

Cities worldwide have conducted economic impact assessments of their nighttime economy. These include New York City, NY; San Francisco, CA; Edmonton, AB; Washington, DC; London, England; and Sydney, Australia.

### ISSUES

- ❑ **Lack of awareness or recognition** of the economic value of music and nightlife.
- ❑ **Resource allocation** is inadequate and not oriented to the “other 9 to 5” (9:00 p.m. to 5:00 a.m.) when the nighttime economy operates.

### DESIRED OUTCOMES

Economic impact data can be used in many ways to activate a positive shift in public perception and policy to a position of support and advocacy. Cities can use economic impact data in the following ways:

- ❑ **Support the need for appropriate allocation of city resources and public safety services** to better manage nightlife activity as a continued source of economic vitality.
- ❑ **Raise public awareness of nightlife as a legitimate economic sector** and viable economic engine by promoting the direct and indirect fiscal, economic and employment contributions of music and nightlife industry.
- ❑ **Elevate the professional status** of nightlife businesses.
- ❑ **Propel greater coordination** between city government and nightlife representatives to collaborate on sustaining vitality, while also reducing safety and quality of life impacts.
- ❑ **Track industry growth and change** by conducting assessments on a regular basis.

### PROSPECTIVE DIRECTIONS

- ❑ **Commission** an economic impact study
- ❑ **Determine** direct, indirect and induced impacts
- ❑ **Assess** proportionate contribution to the local GDP
- ❑ **Evaluate** related municipal support and revenues



# PLAN FOR PEOPLE





## PLAN FOR PEOPLE

**SMART GROWTH PLANNING** for nightlife seamlessly facilitates use of hospitality zones at different times of day and for different purposes. High standards for quality of life and safe mobility options to/from and within the district requires foresight to plan and the infrastructure to make it a reality.

### P1: REVISE SOUND POLICIES

#### CHALLENGE

Sound impacts are often the primary issue experienced by residents, yet there are ineffective means to assess and address noise issues.

#### BACKGROUND



**QUALITY OF LIFE FOR RESIDENTS** in mixed-use social districts entails a balance of social amenities and requires effective management of sound, litter, trash, bio-waste and patron behavior. Updated policies, consistent enforcement and conflict resolution systems help facilitate high standards for quality of life.

Municipal council is scheduled to review and update the noise bylaw in 2020, which makes it timely to review various regulation and enforcement issues pertaining to the nighttime economy.

Sound complaints by residents have become a growing challenge. On the one hand, a single resident complaint should not threaten the viability of a legacy venue that contributes to the social economy of the city. However, on the other hand, residents express frustration if they perceive minimal resolution of their complaints until the problem escalates to the point that they must become politically involved to achieve a satisfactory outcome. There needs to be a complaint and compliance system that is fair to both residents and hospitality business operators. In many cases, structural measures are appropriate. The amount of money it costs to retrofit a building is more expensive than integrating soundproofing from the start (see Agent of Change proposal).

#### ISSUES

- ▣ **Current Noise Bylaw**
  - Sound measurements are required to be taken from the reception site (e.g. inside someone’s residence), however venue-generated sound is often confused with other loud ambient sounds and therefore it does not significantly contribute to issue resolution.
  - The bylaw makes reference to four “noise zones” ranging from quiet, intermediate, harbor intermediate to activity areas. Yet these don’t correspond to the geographical area of the nighttime activity and its unique sound attributes, so it’s not useful for decision-making.
- ▣ **Ambient Late-Night Sound** is often not associated with a specific venue, rather it is generated by groups of people and vehicles moving around public spaces between venues.
- ▣ **Outdoor Events:** Performers believe the 90 DBA limit is too low, while residents complain about the current limit.
- ▣ **Heritage preservation standards** restrict soundproofing for heritage windows and buildings.

- ▣ **Bylaw Services is the designated enforcement agency** with decibel meters to measure sound impacts. However, they generally don't work at night and only go to residences in response to specific ongoing sound complaints.

## DESIRED OUTCOMES

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- ▣ **Achieve reasonable co-existence among residential and social venue uses, given the hospitality area will continue to be located in the area.**
  - Establish meaningful sound thresholds for venues.
  - Develop a monitoring and enforcement system that is consistent, effective and with a low administrative burden for venues and Bylaw Services.

## PROPOSED STEPS

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- ▣ **Amend the Noise Bylaw** to allow for setting sound thresholds (measuring sites) inside the venues at the source/generator of the sound, rather than at the reception site.
- ▣ **Ensure Bylaw Enforcement staff** are resourced to take sound measurements at night or empower another entity to do it.
- ▣ **Establish a set of structural and managerial sound mitigation measures** and the types of conditions in which they would apply in order to prescribe requirements for existing and proposed social venues and residential buildings.
- ▣ **Publicize new provisions of the sound management policy** and new sound bylaw.
- ▣ **Analyze sound systems for festivals to determine how sound limits can be modified** for optimum sound for performances with minimal impacts on residents. Determine times of day for certain sound limits.

## OTHER CITY MODELS & RESOURCES

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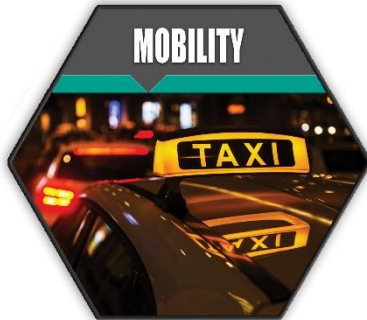
- ▣ **Toronto's Municipal Licensing and Standards** established a team of bylaw officers to focus on sound enforcement at night.
- ▣ **Vancouver's Noise Bylaw** was cited as a best practice to consider because sound is measured at the generator of the sound (e.g. bar or club) vs. at the reception site like in Victoria.

## P2: CREATE A HOLISTIC PLAN FOR MOBILITY

### CHALLENGE

Late-night transportation issues persist in the downtown and efforts must be sustained to ensure they are addressed.

### BACKGROUND



**MOBILITY AND TRANSPORTATION SUPPORTS PATRONS' AND VENUE STAFF' need for safe, convenient and efficient transportation between home and to/from social districts at night.** Providing nighttime transportation options can enhance the visitor experience; ensure the safety of employees who work night shifts and may be carrying cash tips; expedite the process of clearing a social district at closing time; prevent impaired driving and reduce alcohol-related accidents and injuries; and decrease impacts generated by sound disturbances, fights and disorder from lingering crowds.

Late-night bus service (last ride around 2:45 a.m.) will launch in September 2019. This service is expected to fill many of the gaps in nighttime mobility, yet some

remain.

Ride-share services are expected to be allowed to operate soon. However, they are not necessarily the “magic wand” to solve all nighttime mobility challenges. They are one new resource that will need to be coordinated to best integrate into the comprehensive nighttime transportation solution.

It can be advantageous to compile data on how many people patronize social venues at night. Some cities have determined numbers of patrons at night by combining the total capacity and typical occupancy levels of all venues that provide dining, music and entertainment. The total number of employees (hospitality and non-hospitality) that need transportation home from work at night and in the early morning hours are estimated in order to develop a total number requiring transportation out of the downtown at night.

This data can be considered with reference to different areas of the downtown. Further understanding of transportation patterns and needs can be informed by sidewalk pedestrian counts. Automatic counters are typically installed to count the number of pedestrians traversing a sidewalk to evaluate the number of people crossing at 12:00 a.m. to 1:00 a.m. compared to 12:00 p.m. to 1:00 p.m. Cities such as Edmonton, AB and Delray Beach, FL have found it useful to show policymakers the number of pedestrians at night to demonstrate the potential need for management and transit resources. City may also want to consider policies to ensure pedestrians and cyclists can get home safely at night.

### ISSUES

- ❑ **Employees and patrons** who live outside of Downtown Victoria or the city proper do not have transportation home after bar closing time. This has made it difficult for some businesses to hire staff.
- ❑ **Taxi service is insufficient** to meet nighttime demand, primarily during later hours and at closing time.
- ❑ **On-street supply has been reduced by the conversion into bike lanes.** There is still a high level of demand for parking, as evidenced by the parkade (e.g. Bastion Square), which tends to fill up by 8:00 p.m. on Saturdays, as parking in the parkades is free the following day. Policy has changed to no longer allow nightlife patrons to leave cars downtown overnight and beyond 10:00 a.m. on Sundays. There are concerns that this new rule may increase incidence of impaired driving.
- ❑ **No ride-share services** (i.e. Uber, Lyft) operate in the city.

## DESIRED OUTCOMES

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- ▣ **Mobility needs for patrons and employees in the nighttime economy are fully addressed, ensuring they can return home safely without lengthy waits after closing time.**
  - Bus service (now extended) is fully utilized by late-night workers and patrons.
  - If introduced, ride sharing services' operation in the downtown is planned and integrated into other transportation modes.

## PROSPECTIVE DIRECTIONS

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- ▣ **Collaborate with hospitality operators** in promoting and monitoring use of new late-night bus service.
- ▣ **Anticipate the arrival of ride-share services and create a plan about how best to incorporate** them into the nighttime transportation landscape. If left unchecked, they can actually become problematic if they contribute to car traffic/congestion, increase pedestrian risk (if passengers run out in the middle of the street to get in car), etc. It will be necessary to designate pick-up/drop-off locations and determine whether they can use taxi stands.
- ▣ **Consider allowing cars to be parked overnight** in the hospitality area until noon on Sundays.



# ASSURE SAFETY





## ASSURE SAFETY

**NIGHTLIFE SETTINGS** are typically high-intensity environments with complex dynamics and risk factors. A continuum of stakeholders, principal of which are police and venue security, are invested in protecting patrons from violence, sexual assault, theft, underage drinking and impaired driving.

### S1: IMPROVE AND MONITOR DISTRICT SAFETY

#### CHALLENGE

City and regulatory agency staff are not fully realizing opportunities to monitor trends in the district, identify individual businesses with at-risk practices, coordinate early assistance, and provide education and intervention if needed.

#### BACKGROUND



**PUBLIC SAFETY IN THE NIGHTTIME ECONOMY** requires an interagency collaboration to identify risks and coordinate intervention and education to improve compliance by nightlife venues and efficiently respond to nighttime incidents.

Currently, there are quarterly walk-throughs of venues by a Multi-Agency Task Force (MATF) comprised of VicPD, City, Fire Protection Inspector, Bylaw Enforcement, and the liquor inspector to review code compliance, licence compliance, etc. Note: liquor inspectors conduct independent inspections more frequently. The terms for the Multi-Agency Task Force are informal with each staff person following up independently on any concerns they may have identified at venues. There is no formal report generated by the team.

#### ISSUES

- ❑ **Lack of proactive inter-divisional coordination of education for at-risk licences** to assist them with achieving compliance. Currently, liquor inspectors hold compliance meetings when necessary to address violations.
- ❑ **Lack of formal procedures** for MATF inspection walk-throughs.
- ❑ **Inconsistencies between public safety management plans for alcohol service at events vs. brick and mortar social venues.** For events, police are the last government agency whose approval is needed, so there is pressure to approve events because the city has already sent their approval of the liquor licence to the province.

#### DESIRED OUTCOMES

- ❑ **Harmonize and formalize the procedures, roles and duties of the MATF.**
- ❑ **More effective use of the MATF** in contributing to management of late-night venues and public realm conditions

#### PROSPECTIVE DIRECTIONS

- ❑ **Clarify and formalize terms of reference for the MATF** including conducting and reporting on field tours.
- ❑ **Consider MATF role** in the context of an enhanced business licence.
- ❑ **Develop linkages between MATF and the staff team** reviewing licence applications.
- ❑ **Adapt the staff review process applied to licence applications** to the MATF in order to facilitate inter-agency discussion and consider external input such as crime data, inspection and compliance records and relevant policies.

## OTHER CITY MODELS AND RESOURCES

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*RHI's Sociable City Guide: Public Safety and Policing in Nightlife Districts* is a free, comprehensive guide based upon a decade of research and collection of common practices among police departments from throughout the world. This guide highlights nighttime public safety practices regarding officer selection, recruitment incentives, deployment, specialized training, technology use, application of CPTED and SARA, collection of safety data, inter-disciplinary safety teams, etc. The research and report was done in cooperation with the Major Cities Chiefs Association and their members.

[www.rhiweb.org/safety\\_guide.html](http://www.rhiweb.org/safety_guide.html)

## S2: UPGRADE LATE NIGHT (POLICE) TASK FORCE

### CHALLENGE

Budget shortfalls threaten the continued operation of the late-night (police) task force, which has played a critical role in maintaining public safety and quelling disorder associated with nighttime social activity, especially at bar closing time. This model could be even more effective through upgrades and made to align with North American standards for the ideal approach to nightlife district policing, however the department is struggling to prove the worth of the task force and need for continuity in order to continue to operate.

### BACKGROUND

#### Resource Shortage

Victoria faces a challenge shared by every U.S. and Canadian city RHI has worked with in the past 5 years: a shortage of resources in the form of funding and numbers of officers, loss of seasoned officers due to retirement, and difficulty recruiting a new generation of officers. Under budgetary pressure, many police departments are forced to justify the need for dedicated officers and/or dedicated resources for nightlife management. A sentiment expressed by VicPD has been echoed throughout North America: “How do we prove the effectiveness of our approach until it’s taken away?”

#### Victoria’s Late Night (Police) Task Force

Victoria is fortunate to have a Late Night (Police) Task Force comprised of four special-duty (off-duty shift) officers, which include one supervisory officer and three constables, who are deployed on Friday and Saturday nights. They are dedicated to the nightlife district and their shift is from 10:30 p.m. to 3:30 a.m. There has been consistency in the officers who volunteer to work the shift, however no specific training is provided for this function.

Police and hospitality venue operators alike support the program, which is in its 10<sup>th</sup> year (started in 2009) and its role in managing crowds, intervening in disorder and preventing violence, especially at closing time. Officers go inside venues and are on the street. Sustainability of this model has been called into question recently, as well as an exploration of alternatives.

#### Other Cities’ Approaches to Public Safety with Limited Resources

Some cities, such as West Palm Beach, FL, have explored a partnership between police and private security, where security patrols monitor the district and address low-level quality of life violations, such as panhandling and public urination. They have a radio link with police for higher-level incidents.

A similar arrangement has been implemented with nighttime BID ambassadors. In Milwaukee, the police sergeant who pioneered the policing model for the downtown nightlife joined the downtown Business Improvement District to develop a Public Safety Ambassador Program where ambassadors serve as eyes and ears for police in addition to serving in a “host” role with information on late-night offerings in general.

Other cities have seen increases in crime and public safety incidents after moving away from a late-night task force or dedicated officer unit approach to a “response only” model where officers enter the nightlife district only upon a call for service, instead of providing a consistent, proactive presence with roving patrols. These cities may serve as a cautionary tale for Victoria of what may happen if the current approach is de-funded. Further, if nighttime activity increases through additional venue openings, there will be an even greater need for an enhanced policing approach.

## ISSUES

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- ▣ **Inconsistent format for shift** (e.g. amount of time spent inside of venues).
- ▣ **Lack of standard procedures** for officer selection and training (in line with national standards for nightlife police units).
- ▣ **Reporting:** Unable to pull quantitative statistics, reporting scale is unclear, etc.
- ▣ **Value and efficacy** of the task force has been called into question, recently.

## DESIRED OUTCOMES

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- ▣ **Refine and upgrade the existing program** to take it to “the next level” of success.
- ▣ **Standardize procedures, training and qualifications** for officers that participate in the program.
- ▣ **Improve reporting to be able to gauge the benefit** of the task force.

## PROSPECTIVE DIRECTIONS

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- ▣ **Redesign late-night police reporting template** for better data capture that informs conditions and police efficacy.
- ▣ **Collate data from E-spike** to gather statistics to provide overview.
- ▣ **Develop selection criteria and training curriculum for officers** that work on the task force specific to late-night and nightlife-related issues.
- ▣ **Identify sustainable funding stream** to continue operation and deployment of the late night (police) task force.

## OTHER CITY MODELS & RESOURCES

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RHI's *Sociable City Guide: Public Safety and Policing in Nightlife Districts* is a free, comprehensive guide based upon a decade of research and collection of common practices among police departments from throughout the world. This guide highlights nighttime public safety practices regarding officer selection, recruitment incentives, deployment, specialized training, technology use, application of CPTED and SARA, collection of safety data, inter-disciplinary safety teams, etc.

The section on training was developed largely from programs based in Edmonton, AB and Chicago, IL, which have some of the most comprehensive and rigorous programs for officer training.

[www.rhiweb.org/safety\\_guide.html](http://www.rhiweb.org/safety_guide.html)

## S3: ESTABLISH A HOSPITALITY AND NIGHTLIFE ASSOCIATION

### CHALLENGE

Nightlife venue operators have a limited collective voice to articulate their value and needs, better develop their own standards for best practices and be an equal participant in decision-making.

### BACKGROUND



**VENUE SAFETY IS COMPRISED OF THE INITIATIVES** that venue operators and event organizers undertake to protect the health and safety of their patrons and staff at night. An important part of venue safety is to collaborate with regulatory and enforcement agencies to increase industry safety and compliance.

The Victoria Bar and Cabaret Association was active approximately 10 years ago, around 2009. Bar and club owners and operators organized to set a minimum price for beverage alcohol in response to competitive alcohol pricing, which was described as a “race to the bottom.” Not only did low drink prices impact public consumption of alcohol but it also negatively affected alcohol sales at venues that chose not to participate in the practice. While venues were highly involved

during this period of crisis, the group was not sustained in a formal capacity afterwards. Representatives of social venues in attendance at a hospitality venue meeting indicated interest in relaunching a formal group to better collaborate on common initiatives and to have a unified voice for advocacy and communication with City government.

### Trend of Nightlife Associations

Social venues across North America are organizing nightlife associations in response to increased legislative action seeking to restrict growth of and/or regulate impacts associated with the nighttime economy. The primary aim of these groups is to protect the social, economic and cultural contributions of nightlife.

Associations comprised of social and nightlife businesses can serve various functions, including but not limited to lobbying, community advocacy and peer-to-peer education and support. Development of a formal organization provides the framework to efficiently mobilize business owners around new proposals threatening the livelihood of the nightlife industry. Yet as these associations evolve, they often move beyond a reactionary stance to become proactive liaisons with regulatory and enforcement agencies, elected officials, and civic and community leaders. Nightlife associations are therefore an emerging resource to maintain high standards for nighttime management and effectively address public safety and quality of life impacts.

Among the jurisdictions that have established nightlife associations include: New York City, Washington DC, Seattle, Camden County (New Jersey), San Diego and Albuquerque. Throughout the years, they have varied in their level of engagement and involvement. The most active and sustainable association, by far, has been the New York Hospitality Alliance.

### ISSUES

- ❑ **Nightlife associations are difficult to start and sustain;** tends to be oriented around a crisis.
- ❑ **Nightlife business owners tend to be independent-minded** and operate in a competitive industry.
- ❑ **Schedules for operators are often counter to traditional meetings,** especially early morning or lunchtime.

## DESIRED OUTCOMES

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- ▣ **Creation of a unified voice for the industry** to represent their interests and to better liaise with municipal government and community stakeholders.
- ▣ **Increased public recognition and awareness** of how nightlife positively contributes to the community.
- ▣ **Higher level of respect and credibility** as an industry.
- ▣ **Greater ability to self-police and self-regulate** the industry through peer-to-peer support and intervention.
- ▣ **Quick and efficient framework to mobilize** business owners around an urgent topic.
- ▣ **Set a new precedent for collaborating with legislators to review and craft new public policy** on nightlife prior to implementation, thereby avoiding public backlash and potential derailment.

## PROSPECTIVE DIRECTIONS

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There are various approaches to forming a nightlife association. Some options:

- (A) **Create a nightlife committee** within the Downtown Business Association to take advantage of the structure and staffing to help get this started.
- (B) **Establish a separate trade association.**
- ▣ **Outreach to potential members**, including food-primary licencees and other types of hospitality businesses beyond bars.
- ▣ **Promote benefits of collaborative initiatives, such as:**
  - **Late-Night Bus Service Promotion:** Develop and distribute edgy, eye-catching marketing to educate nightlife patrons and employees about late-night bus service. It will be key to future sustainability to ensure ridership and demonstrate demand from the start. Provide free bus passes to employees to get them to serve as advocates. *(Note: This action is currently underway.)*
  - **Downtown Branding:** Develop a brand for the social experience offered by downtown Victoria and what makes it unique compared to other regional, national and North American cities.
  - **Mobilize Political Power:** Use social networks to raise awareness among nightlife patrons about the risks to the nightlife industry's future viability and how they can get involved to support nightlife (e.g. writing to council about the value of nightlife for them, supporting candidates that advocate for safe, vibrant nightlife, etc.)
  - **Develop a Best Practices handbook for nightlife venues.**
- ▣ **Encourage members to participate in voluntary programs** such as Bar Watch and Best Bar None (BBN). Such programs facilitate increased patron satisfaction, higher standards for performance and increased public safety. Bar Watch is currently in place in Victoria; there is exploration to bring BBN to the city.

## OTHER CITY MODELS & RESOURCES

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- ▣ **NYC's Best Practices Guide for Nightlife Venues:** The NYC Hospitality Alliance has compiled two best practices guides developed in partnership with NYPD, an informational video about active shooters in nightlife spaces, and sexual assault prevention training. <https://thenycalliance.org/information/best-practices-for-nightlife-establishments-1>

## S4: EXPAND SECURITY RESPONSIBILITY OUTSIDE THE VENUE

### CHALLENGE

Problematic behaviour at night often occurs adjacent to venues where patrons congregate at closing or when waiting to enter a venue. There is confusion about responsibility for maintaining order in the public space outside the venue, especially at closing time, with concerns about liability and insurance coverage.

### BACKGROUND

One of the most common challenges in cities with nightlife is convincing nightlife venue staff of the need to take ownership of the space surrounding their establishment instead of the usual belief that, “My responsibility ends at the front door.” Unlike in other cities, social venue owners and operators in Victoria in attendance at a hospitality operator meeting did express a desire to participate in maintaining the public safety of their patrons outside their premises.

Further, several documents clearly outline the role that liquor primary licensee staff have in preventing disturbances outside their premises:

- ▣ **The BC Liquor Primary Terms and Conditions states: “You must take reasonable measures to ensure your business does not...disturb people near your establishment...Examples of reasonable measures include...supervising your parking areas.”**
- ▣ **The previous Good Neighbour Agreement for liquor primary licences in the City of Victoria’s Business Licence Bylaw requires “employing security personnel to patrol outdoor areas, particularly at closing time to ensure orderly dispersal of patrons.**

However, there is limited involvement in managing activity outside of establishments. Venue operators expressed concerns about application of liability insurance and WorkSafe BC. Some cities have actually mandated venue responsibility outside the venue. For example, San Francisco entertainment venues are responsible 100’ in any direction of their establishment for behavior that takes place.

### ISSUES

- ▣ **Venue staff are not covered by WorkSafe BC outside of the premises.** There are also concerns about whether liability insurance will cover incidents that take place outside the venue’s premises.
- ▣ **There is a belief among some that what happens outside the doors of their establishment is not their responsibility.** This ambivalence often results in minimal presence outside of venues, especially after closing time.
- ▣ **Insufficient police resources to ensure safe, orderly dispersal** of all patrons at closing time.

### DESIRED OUTCOMES

- ▣ **Clear expectations of venues’ security staff’s role in ensuring orderly behaviour** adjacent to venues and dispersal of patrons after closing time.
- ▣ **Reduce pressure on police** for addressing venue-related behaviour issues.

### PROSPECTIVE DIRECTIONS

- ▣ **Resolve liability and jurisdictional issues** to expand scope of venue staff’s responsibility in public space outside their premises. (Specify a certain number of metres outside their premises.)
- ▣ **Incorporate the rule about venues’ role in dispersing patrons outside their premises** in the elevated business licence so that it can be locally enforced.

## S5: SUPPORT SAFETY FOR VULNERABLE PATRONS

### CHALLENGE

While males and groups of patrons may feel safe downtown at night, women and other vulnerable sub-groups walking alone do not share the same perception of safety.

### BACKGROUND

A workshop focussing on women's experience and perceptions of the late-night economy was conducted as part of this study (see appendix 2). Women of various demographics provided insights into their preferences and concerns about the downtown after dark. Their input into preferences should be considered by an alliance or other group that assumes leadership for building downtown vibrancy and developing Victoria's late-night economy.

Concerns about safety are considered for policy directions here. Safety measures that are suggested are also of benefit to all patrons of the downtown at night.

### ISSUES:

- ▣ **Women feel unsafe when walking alone downtown late at night.**
- ▣ **There is limited awareness about strategies to prevent sexual harassment** and address sexual violence amongst venue operators and their staff.
- ▣ **There is concern about the safety of prospective ride-sharing services.**
- ▣ **Some venues are not adequately lit or designed to promote safety.**

### DESIRED OUTCOMES:

- ▣ **All downtown patrons feel safe walking downtown at night.**
- ▣ **Downtown social venues, patrons and other organizations** supporting the late-night economy are aware of sexualized violence and measures to prevent and respond to it.
- ▣ **All downtown venues are perceived** as (and are) safe for all patrons.

### PROSPECTIVE DIRECTIONS

- ▣ **Identify travel corridors between social venues and transportation nodes** and audit them for safety (e.g. lighting).
- ▣ **Ensure commitments are made** to address and implement safety measures.
- ▣ **Develop a program/campaign** to ensure awareness and training regarding sexualized violence prevention.
- ▣ **Consider "certifying" that venues have received staff training** and successful venue audits.
- ▣ **Consider incorporating sexualized violence prevention** into a trial late-night ambassador program (e.g. Vancouver).
- ▣ **Consider any necessary additional measures for ride-sharing services** once regulatory terms are understood.
- ▣ **Include questions about safety, particularly for women, in periodic patron surveys.**



# ENHANCE VIBRANCY



PUBLIC SPACE





## ENHANCE VIBRANCY

**VIBRANCY IS CREATED** by a variety of social experiences in bars, restaurants, cafes and live music venues. Spontaneous encounters in public space, such as in outdoor cafes, plazas, etc. also signal the vitality of a district.

### V1: IMPROVE LIVE MUSIC SYSTEMS AND OFFERINGS

#### CHALLENGE

As a key element for late-night vitality, more can be done to support the success of live music, especially for emerging talent and smaller showcase venues.

#### BACKGROUND



**ENTERTAINMENT IS DEFINED** as indoor social options such as dining, dancing, live entertainment, theater, etc. in the city at night and the systems to recruit and retain talent.

#### Social and Cultural Value of Music

Music is the heartbeat of sociability. The experience of music connects us to friends, family and romantic partners. Our lives are defined by the music that plays at key milestones—our first date, first kiss, first dance, etc. While residents may appreciate music, appreciation wanes when music interferes with sleep. Music then transforms from a form of artistic expression to unwelcome noise.

#### Systems to Protect the Music Industry

The music industry is a fragile industry, which is vulnerable to shifts in the market. Cities throughout the world are beginning to recognize the cultural and economic value of live music; some are adopting a “music city” plan to create an infrastructure for supporting music and musicians.

In line with this global trend, the City of Victoria created a Music Advisory Committee to research and provide advice and direction to City Council and staff on the planning, development and implementation of a Victoria Music Strategy. The Advisory Committee serves as community ambassadors to actively promote public involvement in the planning process and act as a sounding board to assist staff during the implementation phase of the music strategy. This twelve-member board is composed of people with an interest or expertise in music (performance, production, engineering, promotion, venue management, education, tourism or business development) and are not City employees.

Insights presented below about challenges and opportunities for live music are based on a meeting with this group, as well as a meeting with social venue operators, owners and staff. Many of the challenges identified in Victoria are common to other cities with live music industries. Cities that recognize music as an important industry segment and as part of the city’s branding, such as Seattle and Austin, have undertaken strategies to address logistical issues. However, even Austin, self-proclaimed “Live Music Capital of the World” is currently struggling to address sound mitigation in order to facilitate co-existence between live music venues and residents.

## ISSUES

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- ❑ **Gap in venue space.** e.g. mid-sized venues (600-1000 capacity) with an open floor plan (not seated).
- ❑ **High level of competition for the few performance spaces that exist.** Some artists choose alternative venues (house parties, pop-up concerts, warehouses, DIY spaces, etc.) that are not licenced to host events and may lack the safety procedures necessary to ensure patron safety.
- ❑ **Cost of transportation for mainland artists to come to Victoria.** For example, transporting a tour bus on a ferry can cost about \$600 roundtrip.
- ❑ **Lack of safe, designated loading zones and parking areas for musicians and their equipment.** Some venues have lost shows because musicians didn't have anywhere to park their tour bus. Further, parking tickets can be financially devastating for an artist. Carrying equipment back to remote parking can be a safety risk, especially for female musicians.
- ❑ **Gap in all-ages accessibility to live music.** Alcohol regulations for licenced venues that host live performances result in restrictions to under 19-year old music fans who are large consumers of music.
- ❑ **Timing for live shows.** Live performances are usually scheduled between 7:00-10:30 p.m. then the venue switches to DJ music and dancing from 11:00 p.m. to closing time. Gap in live music from 9:00 p.m. to 1:00 a.m.
- ❑ **Few turnkey venues that have the technical equipment set-up needed for a live performance.** Costs are significant and born by the artist or production company to set up the technical equipment needed.
- ❑ **Rental fees are high for multi-purpose event spaces.**
- ❑ **Sound:** Complaints have been directed at live music venues and music performed at outdoor events by residents. A few complaints can threaten the future viability of events. However, performers and production companies state that the current decibel limit of 90 DBA is too low for a festival. Sound carrying over the water has been identified as an issue.
- ❑ **Limited season for events and festivals featuring live music,** therefore many festivals occur and overlap in the span of a few months. Potential for "festival fatigue."
- ❑ **Hospitality businesses struggle to find musicians and entertainers during festival season** as they are blacklisted (banned from performing in the city) one month prior and one month after their performance at an outdoor event.
- ❑ **Culture that doesn't value music as a commodity when so much is free.** There is a perception that patrons are more willing to spend \$20 on alcohol than on a cover fee to see a live band.

## DESIRED OUTCOMES

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- ❑ **Established vision for the role of live music** in Victoria's social and cultural community.
- ❑ **Creation of a support system** to help live music thrive in Victoria.

## PROSPECTIVE DIRECTIONS

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- ❑ **Identify and designate parking for musicians and tour buses near live music venues.**
- ❑ **Explore city incentives to assist live music venues.**
  - E.g. Determine funding assistance mechanisms that can help live music venues upgrade venues to provide the equipment set up necessary to be turnkey venues for musicians.
- ❑ **Evaluate the full life-cycle of a starting musician to full-fledged mainstream performer.** Are there spaces for musicians to rehearse, perform, etc. What financial barriers (health insurance, housing, etc.) can be overcome to assist musicians to sustain music as a career?
- ❑ **Identify opportunities to leverage existing venues for live music** such as public spaces, city-owned venues, multi-purpose event centers, lobbies of larger venues, airports, city public buildings, etc.

- ▣ **Explore licensing incentives** to allow a variance for venues committed to having a certain number of live performance hours.
- ▣ **Analyze sound systems for festivals to determine how sound limits can be modified** for optimum sound for performances with minimal impacts on residents. Determine times of day for certain sound limits.
- ▣ **Enhance the busker and festival programs** to facilitate ease and comfort for musicians as an incentive to participate e.g. providing shelter for performers from the cool moist breeze and rain.
- ▣ **Diversification of Late-night Offerings:** A vibrant nightlife is one that offers diverse choices, is inclusive and accessible to different audiences and one that feels safe and welcoming to vulnerable sub-groups.
  - **Under-served markets** that can be tapped into may include: all ages (especially under 19-year olds and adults 40+), non-drinkers/abstainers, LGBTQI2-S community, people with disabilities, and more broadly, women.
- ▣ **Diverse choices are a major selling point for a vibrant nightlife.** Offering opportunities to shop at night in traditional retail stores and night markets, as well as to dine on high quality “small bites” adds flavor and broadens the appeal of the night. Opportunities for “social dancing” and physical activities that combine sports (e.g. volleyball) and hobbies such as axe throwing with nightlife are also a growing trend in the U.S. and Canada. Showcases of artistic expression and interactive games and activities are also a popular trend. Victoria has many of these options already, but they may need greater marketing to both current and new markets. For more ideas, see Appendix II: Designing Life At Night For Women.

## LOCAL RESOURCES

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**Arts Victoria** and **Live Victoria** provide such resources as: a venue finder, a tally of different venues with data and age restrictions, capacity, etc., which is a helpful tool for musicians, promoters and event producers. There is also a general calendar for the public to find out about upcoming shows.

## OTHER CITY MODELS & RESOURCES

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- ▣ **Fort Myers, FL Music Walk:** Musicians (acoustical musicians, up and coming performers) performed in non-traditional spaces such as bookstores and clothing stores in a music-version of an art walk. This enables a lower entry level point and exposure for up-and-coming artists.
- ▣ **Strathcona Music Festival:** Similar to Rifflandia, where 15 to 20 venues participated in a live music festival based out of venues. Whyte Avenue was shut down to make it walkable. A common cover of \$20 gained patrons entry into all venues.
- ▣ **Seattle’s Admission Tax Exemption for Live Music Venues:** Read qualifications at this link. <https://www.seattle.gov/Documents/Departments/FAS/BusinessLicenceTax/AT-Live-Music-Exempt-Packet.pdf>
- ▣ **University of Colorado Boulder** requires students to do a certain number of public performance hours in venues or as buskers. Venues and musicians mutually benefit.
- ▣ **World Café in Philadelphia** (a live music venue) hosts student musician performances for one day.

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## V2: ENHANCE SAFETY PROTOCOL AT EVENTS

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### CHALLENGE

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It is now possible to consume alcohol throughout an event site, however some improvements in policy would help ensure health and security concerns are addressed.

### BACKGROUND

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**PUBLIC SPACE VIBRANCY OFFERS A CONTINUUM OF OUTDOOR ACTIVITIES** such as sidewalk dining, outdoor seating, street performers, markets, food vendors, festivals, and art walks at night. Truly vibrant cities maintain social activity at all times of day, evening and late at night. But vibrancy requires work. It takes systems to support venues, nurture performers and provide opportunities for entrepreneurs to showcase their talent.

#### Current Special Event Application Guidelines

Overall, special event application guidelines provided by the City of Victoria are user-friendly and include robust notifications to residents of nearby neighborhoods for 500+ events. Applications include considerations of potential impacts such as traffic, transportation, parking, disability access, health permits, as well as sound mitigation.

#### Public Health and Safety Considerations

The city manages a large number of public spaces, parks and facilities that are used for events and festivals. Risk factors associated with special events are based on the time of day, type of entertainment, availability of food and alcohol, whether the event is fee-based or open to the public, and patron demographics in attendance. The responsibility of the city is to determine how best to maintain safety, public health and security during special events held in public parks and spaces when alcohol is served, especially if the event is an open site model instead of a beer garden approach.

#### New Event Management Methodology

Traditional event methodology is to create “beer gardens,” isolated spaces for people to consume alcohol, The advantage of this model is the ease of checking IDs and monitoring behavior of people who consume alcohol in an enclosed space. However, social isolation of people who drink has anecdotally been observed to increase the amount consumed and potentially also increase disruptive behavior within the beer garden space.

Victoria has therefore begun to experiment with an “open site” model, where those who consume alcohol are able to drink throughout the event space, thereby intermingling with different generations. Initial observations after the open site event pilot were that there seemed to be a social calming effect, and no reports of increased incidences were reported. Event attendees also indicated that the event facilitated a more pleasant social experience.

## ISSUES

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- ❑ **Regardless of a designated area or an open site model for alcohol consumption at events, there are reports of high alcohol consumption and intoxication reported at some events.** It is perceived that the LCB's exception pricing, which limits the ability to sell a 14oz beer for more than \$5 to only non-profits may actually contribute to higher rates of alcohol consumption, as higher prices may be a deterrent to purchasing large quantities of alcohol.
- ❑ **Confusion about the boundaries of events** that allow open site alcohol consumption.
- ❑ **Vague security standards in the City of Victoria special event application guidelines.** There is an implication that police may assist if necessary, rather than providing specific numbers of city police, regardless of whether private security will be present. However, the provincial special event liquor permit application does require a separate security plan for 500+ events, which does flesh out such specifics as policing resources.

## DESIRED OUTCOMES

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- ❑ **Positive social experiences at open site events model**, while maintaining high standards for public safety, public health and restriction of alcohol to adults of legal age.

## PROSPECTIVE DIRECTIONS

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- ❑ **Follow up with the open-site event pilot program** to determine applicability of the open site event model for city-owned parks, public spaces and facilities.
- ❑ **Develop formal best practice procedures for safety, to be incorporated into an open site event application for the City, such as:**
  - **Designate separate staff to perform the following duties:** ID checking and wristband distribution, money collection and beverage service.
  - **Distribute highly visible, tamper-proof wristbands** to distinguish between people who are of age and whose identification has been verified and those who have not had their age verified.
  - **Use a designated beverage container** with event logo used solely for alcohol beverages at an event.
  - **Prohibit people from purchasing alcohol in bottles or containers** other than those sanctioned by the event.
  - **Instruct security staff to monitor and observe if youthful-appearing event participants** are consuming alcohol beverages in event glassware. Empower event staff to ask event patrons to have their age re-verified by security.
  - **Limit hours of sales for alcohol** so that the sale of alcohol ends one hour prior to the end of the event.
- ❑ **Post clear signage to delineate the boundaries** of an open site event area.
- ❑ **Explore the possibility of updates or exemptions to provincial rules about maximum costs** for alcohol that can be set at events.
- ❑ **Update City event policy to comply with LCRB requirements** regarding presence of police and security staffing.

## APPENDIX I: REVIEW OF EXISTING POLICIES

The report makes reference to existing municipal policies and bylaws, and in some cases, offers suggestions for improvement. This information is consolidated here.

<p><b>Business Licence Bylaw 2004</b></p>	<p>We suggest elevating the business licence to serve as an active management tool for qualifying businesses (regardless of provincial licence type) by placing conditions pertaining to safety protocol, sound mitigation and other critical areas to ensure public health and safety. Municipal authorities will be empowered to suspend or revoke the licence if licence conditions are violated.</p> <p>See Action A1: Elevate the Social Venue Business Licence.</p>
<p><b>Good Neighbour Agreement Bylaw for Venues 2002</b> <i>Note: withdrawn from Business Licence Bylaw</i></p>	<p>Removal of the good neighbour agreement from the city business licence bylaw removed a local tool that could have potentially been used by city enforcement agents. However, there was a limitation in applicability in that it only applied to liquor-primary businesses, which did not account for potential impacts of food-primary licences when operating like a liquor primary licensee.</p> <p>Elevation of the business licence bylaw as proposed in Action A1 will address the application gap and will place conditions which will help facilitate the intended outcome of coexistence between residential uses and social venue uses.</p> <p>See Action A1: Elevate the Social Venue Business Licence.</p>
<p><b>Noise Bylaw 2003</b></p>	<p>The current noise bylaw has stipulations that make measurement and enforcement difficult. Sound measurements are required to be taken from the reception site (e.g. inside someone’s residence), however venue-generated sound is often confused with other loud ambient sounds and therefore it does not significantly contribute to issue resolution.</p> <p>We suggest changing the noise bylaw to set sound thresholds (measuring sites) inside the venues at the source/generator of the sound, rather than at the reception site.</p> <p>See Action P1: Overhaul Sound Policies</p>
<p><b>City Liquor Licensing Policy 2013</b> <i>Note: not implemented</i></p>	<p>We suggest revisiting this licensing policy proposal, as it may provide a guide for how to designate hospitality emphasis areas.</p> <p>See Action A5: Develop Hospitality Emphasis Areas.</p>
<p><b>Closing Hour Resolutions 2007</b> (Committee of the Whole Report re: Liquor Establishments Extended Hours)</p>	<p>The report sets out terms for granting extension of hours to liquor establishments and food primary establishments.</p>
<p><b>Liquor Licensing Policy 2017</b></p>	<p>In this report, the city opts out of review and comment requirements for the addition of an entertainment endorsement to any food primary business with licenced service up to 12:00 a.m. Provision of entertainment can be a risk factor to public safety if safety measures are not taken, especially if entertainment facilitates an environment more similar to that provided by a liquor primary business.</p> <p>However, this gap will be addressed by Action A1: Elevate the Social Venue Business Licence.</p>

<p><b>Special Event Application Guidelines</b></p>	<p>Overall, special event application guidelines provided by the City of Victoria are user-friendly and include robust notifications to residents of nearby neighborhoods for 500+ events. Applications include considerations of potential impacts such as traffic, transportation, parking, disability access, health permits, as well as sound mitigation.</p> <p>However, security standards are vague. There is an implication that police may assist if necessary, rather than providing specific numbers of city police, regardless of whether private security will be present. However, the provincial special event liquor permit application does require a separate security plan for 500+ events, which does flesh out such specifics as policing resources. The City could update its special event policy to indicate that events should comply with the LCRB requirements for staffing by police and security personnel.</p>
<p><b>City of Victoria Special Occasion Liquor Licence in Parks</b></p>	<p>Issued by the Parks Division, Park and Rec, this policy provides a simple method to apply for permission to serve liquor at events and is required before application to the province for the actual licence to serve. It requires fencing, approval by BC Liquor and Police, a sketch diagram and posting of the licence. Events are seasonal and there are caps for events held in parks: 1 per month May through August, and 2 per month September through April. Strict times for events are between 11am – 9pm without opportunity for exception. There is priority for events that have taken place in the past. Applications are first come first serve according to policy. There are fees charged for the park permit, liquor licence clean up, garbage disposal and staffing.</p> <p>The City may consider special exceptions for times of events at parks if impact mitigation plans are submitted. Also, see suggestions pertaining to upgraded safety protocol for open site event models that are held in parks.</p> <p>See Action V2: Enhance Safety Protocol at Events</p>

## APPENDIX II: DESIGNING LIFE AT NIGHT FOR WOMEN

RHI facilitated a 90-minute focus group with 11 female participants about Designing Life at Night for Women.

The full presentation can be viewed: [http://rhiweb.org/services/victoria/nightlife\\_for\\_women.pdf](http://rhiweb.org/services/victoria/nightlife_for_women.pdf)

Interspersed with a presentation were various brainstorming exercises to elicit feedback and insights on a variety of topics associated with the nighttime economy from a woman’s perspective.

According to RHI, there are three “must-haves” for women to have an enjoyable experience while participating in life at night: Choice, Design and Safety. Ideally, they will feel safe and comfortable from the moment they arrive to a district until the moment they depart. Participants described strengths and opportunities for improvement in each of these areas pertaining to Victoria.

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### CHOICE OF SOCIAL OPTIONS

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#### STRENGTHS

Participants were asked about the diversity of nighttime social offerings offered in Victoria. The density of venues and activities in a concentrated area was cited as a strength. Some spaces featured alcohol service, while others did not. Among the specific activities cited include the following:

- ▣ **Dining**
  - Well presented food, small plates, shareable plates
  - Dessert and late-night treats (though only available before 9:00 p.m.)
- ▣ **Events**
  - Focused on cultural celebrations, music, etc.
  - Free events
- ▣ **Shopping**
  - Night markets
- ▣ **Dancing**
  - “Social dancing” usually refers to dance forms with particular steps and techniques such as salsa, bachata, swing, etc. However, the purpose is to socialize while practicing technique in an informal setting such as a club, recreational hall or after a class. Some women feel more comfortable “social dancing” rather than dancing in a traditional nightclub (even when alcohol is served) because there’s more emphasis on the dance technique, usually brighter lighting, more inclusive by age (all ages if no alcohol served), and clearer rules of engagement/protocol for inviting a partner to dance.
  - Places to dance to different kinds of music – live and DJ.
  - Silent discos
- ▣ **Physical Activities**
  - Volleyball on the roof
  - Axe throwing
  - Sports
  - Roller disco

▣ **Games and Activities to Stimulate the Mind**

- Arcade games e.g. pinball
- Board game café and other gaming rooms
- Escape rooms
- Pub quizzes and trivia nights
- Music bingo

▣ **Artistic Expression**

- Poetry readings and poetry slams
- Paint and wine nights
- Storytelling (at Victoria event center)
- Art battle (a live competitive painting event, where painters create the best work they can across three timed rounds. As they work, the audience moves around the easels, allowing them an up-close view of the creative process. The audience votes on their favorite pieces of work.)

▣ **Cooking Classes**

- Commercial quality classes that you can hire for a group

▣ **Historical and Geographic Offerings**

- Pickle boat cruises
- Walking tours (Discover the Past offers history tours by day and ghostly walks by night)

**OPPORTUNITIES FOR IMPROVEMENT**

Participants were asked about what’s missing or what can be improved in Victoria’s nighttime social offerings.

▣ **Inclusive Social Options**

Making Life at Night accessible to different groups of people is a high priority.

○ All Ages

People of all ages seek social spaces, however under 19’s are barred from entry to liquor licenced venues while adults 40+ may feel uncomfortable in nightclub settings and choose to opt out.

- More all-ages venues and events

○ Non-Drinkers/Abstainers

People choose not to drink for a variety of reasons throughout their life such as health, lifestyle, medication, religion, substance recovery, pregnancy, nursing, etc. They too seek high quality social options in a comfortable setting that does not ostracize them for the lack of a drink in their hand.

- More dry options are desired

○ LGBTQI2-S Community

While the goal is to make all social spaces feel safe and welcoming to the LGBTQI2-S community, there is also value in having dedicated venues or events that celebrate the culture of the community. Specific ideas include:

- Non-club environments that serve as social gathering spaces e.g. queer bookstore
- More queer venues
- Drag shows

- People with Disabilities

People with disabilities have significant buying power, yet going out can be a daunting experience. Awareness of a social venue’s level of accessibility is critical for decision-making on whether to go out to a particular establishment. Broadening accessibility to social venues benefits not just people with disabilities but multiple groups of people—including the elderly and families with strollers. There is a desire for:

- Venues or activities accessible by a wheelchair
- Event spaces with elevators
- Posted information on the web about accessibility options e.g. entrance ramps, wheelchair-friendly restrooms, etc.

A barrier identified in Victoria was the large number of heritage buildings that are restricted by historic preservation rules. Doors that are directly located on sidewalks or in the public right-of-way make it so a ramp would trip people walking on the sidewalk.

- **Late-Night Dining**

- High-quality food options and small plates that are not street food or fast food
- Casual food and drink places
- Dessert and coffee places (open after 9:00 p.m.)

- **Nighttime Shopping**

- Retail stores that stay open past 6:00 p.m.

- **Live Music at Different Times**

- Cover bands that perform earlier
- Live bands that perform later in the evening

- **Quiet Spaces**

- Bars and restaurants that play music at a lower volume to allow for conversation
- Relaxed atmospheres with low music for late-night wind down

- **Size of Venues**

- Larger indoor venues that can support 300+ people

- **Operation of Venues**

- Stop restaurants from turning into bars late at night if they’re not licenced to do so

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## DESIGN AND SERVICES

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The design and provision of services within venues and downtowns can facilitate a positive social experience.

### INSIDE VENUES

#### STRENGTHS

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- Beautifully designed and contemporary looking hotel lounges and bars, which locals get to use off-season when tourists aren’t around
- Variety of seating options e.g. bar seating, corner tables and booths
- Spaces to stand, move, and sit comfortably
- Lack of screens
- Beautiful views

## OPPORTUNITIES FOR IMPROVEMENT

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### Washrooms

- ❑ **Quality and Cleanliness:** Bathrooms were described as “dark, scary and unclean.”
- ❑ **Lighting and Accessibility:** Some pathways to bathrooms are not well-lit (e.g. if you have to go down a dark hallway to the far end of the venue). Bathrooms that are located outside of venues that you access with a key were also scary at night.

## DOWNTOWN

### STRENGTHS

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It was agreed that downtown Victoria is one of the cleanest and most beautifully designed downtowns in North America. Hanging flower baskets adorn nearly every light fixture and many outdoor patios, bringing light and color to every street. Overall, downtown is well-lit in major arteries with both functional and decorative lighting. Sidewalks are wide and well-maintained with few places for a heel to catch/get stuck. Parking meters are positioned so that women of average height can read and access them. Wayfinding signs help visitors and locals find public washrooms and tourist attractions.

## OPPORTUNITIES FOR IMPROVEMENT

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Some aspects of downtown design and services provision are exacerbated at night, while some safety hazards are only visible when viewing downtown from a nighttime lens i.e. wearing “your nighttime goggles.”

### Public washrooms

- ❑ More public washrooms needed

### Nighttime transportation

- ❑ Late-night bus service needed
- ❑ Designated cab stands

Note: it was announced during the focus group that late-night bus service will start in September 2019 and will run until 2:45 a.m. There are currently 4 designated taxi stands with staff attendants, however there is usually not enough supply to meet demand, especially at closing time.

### Locations where Social Activation is Desired

Several “dead zones” were identified downtown at night where development of social options can be encouraged. These areas may lack lighting and eyes on the street from people walking. Among the areas identified include:

- ❑ South of the downtown core (e.g. Humboldt Street, Douglas Street) and around the conference center
- ❑ Market Square (dark corners, less people, covered areas; some sexual assaults reported there)
- ❑ Commercial Alley in Bastion Square (dim lighting)
- ❑ Street between Swans Hotel and Brewpub to Copper Owl
- ❑ Street between Duke Saloon and Canoe Brewpub

### Social Venues Spread out in Evening

Later in the evening, social venues are located far apart. Locating social venues more closely together can help facilitate sociability, convenience, access to transportation, but also can concentrate impacts from sound and disorderly behavior.

## PERCEPTION OF SAFETY

### INSIDE VENUES

#### STRENGTHS

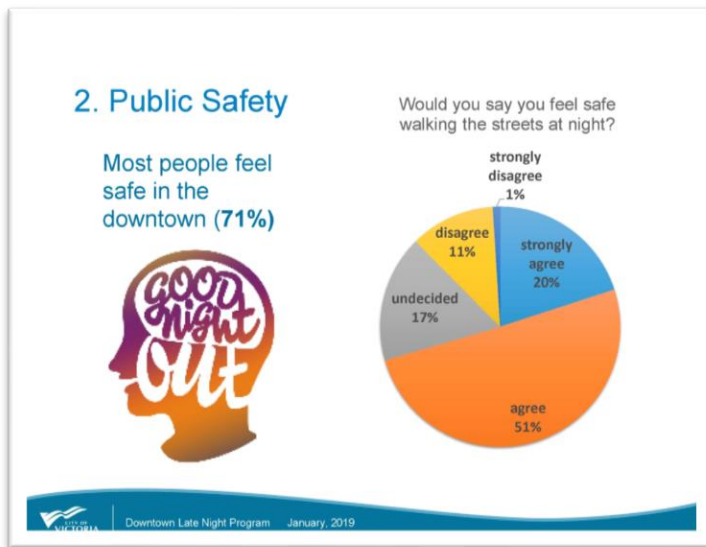
- ☐ Security staff (i.e. “bouncers”) that are actively monitoring a venue.
- ☐ Bartenders and servers that ask for a patrons’ consent before making them a drink purchased by another patron. (“Is it ok if this guy buys you a drink?”) This conveys that consent is honored in the social experience.
- ☐ Educational posters about consent in the bathroom of the Victoria Event Center

#### OPPORTUNITIES FOR IMPROVEMENT

- ☐ Lighting on the way to restrooms, especially if they’re down a long hallway or located outside the venue.

### DOWNTOWN

A survey taken in January 2019 found that 71% of people feel safe walking the streets downtown at night.



100% of focus group participants agreed with the survey results that they too felt safe walking the streets downtown at night. However, the answer varied when asked if they feel safe walking alone vs. in a group. The answer was further qualified when asked if there are any steps they take to ensure their safety downtown.

## WHAT STEPS DO YOU TAKE TO STAY SAFE AT NIGHT?

Participants were asked about what steps they take to stay safe at night. Among the answers include:

- ▣ Took a class that trained participants on how to fight off an attacker
- ▣ Make eye contact (fighting the typical urge to avoid eye contact) to acknowledge awareness of other people's presence
- ▣ Stay alert; don't get distracted
- ▣ Actively monitor the street and surroundings
- ▣ Hold keys between fingers
- ▣ Keep a corkscrew in purse
- ▣ Talk to a friend or significant other while en route to the car.
- ▣ Inform a friend or significant other that they are on their way home.
- ▣ Map out the walking route in advance
- ▣ Avoid areas that are dark at night
- ▣ Don't take shortcuts
- ▣ Choose to bike vs. walk at night to get away from scary people faster
- ▣ Walk with friends
- ▣ Project a powerful persona and a "don't mess with me" attitude
- ▣ Don't smile at passersby and be intentionally not friendly

**Disclaimer:** *This exercise was not intended to generate a prescriptive list of things that women "must do" or "should do" to stay safe at night. Instead, it was intended to raise awareness of the complex decision-making women undergo before, during and after participating in nighttime socializing to stay safe. Further, it demonstrates that "feeling safe" is not a passive exercise, but rather an active participatory experience.*

## PREVENTION OF SEXUALIZED VIOLENCE

- ▣ **More widespread staff training desired on the topics of consent and sexualized violence prevention** so staff know how to intervene in an uncomfortable situation. At the Victoria Event Center, only one staff is dedicated to addressing sexual assault and harassment. It would be ideal for all staff at all social venues to be trained on the subject.
- ▣ **Lack of awareness about the new Victoria Sexual Assault Clinic**, which is housed in the Victoria Community Response Centre. "First of its kind in British Columbia, the clinic shifts key services and supports for recent survivors of sexual assault from the hospital and police stations to one location to create a warm, welcoming centre where the healing process can begin as soon as a survivor walks through the door."
- ▣ **Lack of staff action taken and/or denials after multiple reports and public testimonies of sexual assault** reported in a particular venue that caters to queer youth.
- ▣ **Concern about safety of ride-share service drivers** and whether they will be held to the same level of background check (e.g. national criminal record, vulnerable sector check, etc.) that taxi drivers submit to.
- ▣ **Local resource: May I is a local group with curriculum developed for front of the house and back of the house staff** (e.g. servers, bartenders) about how to address sexual harassment in social venues. Potential for partnership with the Good Night Out program staff that recently conducted training in individual venues.
- ▣ **Communicate with venues** about improvements to washrooms regarding cleanliness and lighting to improve safety for women.

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## ACTIONS

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- ▣ **Update downtown survey to reframe the question about safety** (“Do you feel safe walking the streets at night?”) to “Do you feel safe walking the streets alone at night? As a group?”
- ▣ **Nighttime safety audit via walking tour.** Incorporate a women’s safety lens to the existing quarterly tours of liquor-licensed venues downtown with the Multi-Agency Task Force (current members include VicPD, City of Victoria Fire Department, Bylaw Services, Island Health and the BC LCRB). Invite female nightlife patrons, students and residents. They can help identify areas in need of lighting and other safety improvements.
- ▣ **Map out the most traveled routes** between popular social venues and activate with lighting.
- ▣ **Promote availability of lighting grants** through the Downtown Victoria Business Association (as of June 26, 2019, not a single application had been received)
- ▣ **Placard certifying venues that have participated in safety training**, including sexualized violence prevention training.
- ▣ **Promote awareness of the Victoria Sexual Assault Clinic** as a warm, welcoming alternative to the hospital and police station where survivors of sexual assault can access multiple services in one place.

## **PARTICIPANTS**

Individuals from the following organizations participated in one or more strategic planning sessions. Participation does not imply an endorsement of recommendations in this report, only that their input was considered in development of the recommendations.

### **PHONE INTERVIEWS (PRIOR TO ON-SITE VISIT)**

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June 6-14, 2019

Participants: 7

- BC Liquor and Cannabis Regulation Branch
- City Councillor
- City of Victoria Manager of Permits and Inspections
- Downtown Residents Association
- Downtown Victoria Business Association
- Victoria Bar and Cabaret Association

### **VENUE OPERATORS AND SPECIAL EVENT PLANNERS**

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June 25, 2019

Attendance: 17

- Venue Operators and Staff (15)
- Event Organizers (2)

### **LATE NIGHT ADVISORY COMMITTEE**

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June 26, 2019

Attendance: 12

- Downtown Residents Association
- Hotel Association of Greater Victoria
- Restaurant and Food Association
- Liquor and Cannabis Regulation Branch
- Victoria Police
- City Councillor and staff
- Downtown Victoria Business Association
- Victoria Bar and Cabaret Association

### **VICTORIA POLICE**

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June 26, 2019

Attendance: 4

- Deputy Chief
- Community Resource Officer
- Inspector, Community Services

## WOMEN'S FOCUS GROUP

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June 26, 2019

Attendance: 11

- Sexual Assault Prevention Trainer
- Community Associations (3)
- Chamber of Commerce
- UVIC Student Union
- Downtown Victoria Business Association
- City of Victoria (2)
- Unaffiliated (2)

## MUSIC ADVISORY COMMITTEE

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June 27, 2019

Attendance: 5

- Atomique Productions
- BC Reggae and Ska Society
- Chair, Music Advisory Committee
- Community Development Division
- Conservatory of Music

## RESOURCES AND OTHER CITY MODELS

### FORT MYERS, FL MUSIC WALK

Musicians (acoustical musicians, up and coming performers) performed in non-traditional spaces such as bookstores and clothing stores in a music-version of an art walk. This enables a lower entry level point and exposure for up and coming artists.

### MONTEREY, CA'S NUISANCE ORDINANCE

All new businesses were given conditional use permits that defined hours of operation, entertainment options, security, etc. Previously operating businesses were grandfathered in. If a grandfathered business received five complaints from different sources (not the same person), the city could retroactively impose conditions. The business had 90 days to address the problem. If they didn't, the city could limit hours, require security, and/or take away entertainment.

### OFFICES OR COMMISSIONS OF NIGHTLIFE

Cities in the U.S. such as New York City, Seattle and Washington, DC have recognized the need to establish an official Office or commission to oversee nightlife management.

Examples of the purpose of such offices:

**"New York City's Office of Nightlife** serves as a central point of contact among the nightlife industry, community, and City agencies...The Office of Nightlife works to support these important contributions by coordinating City services and programs to promote responsible growth, diversity, creativity, inclusion, and quality of life for all New Yorkers and visitors from around the world."<sup>7</sup>

**"Mayor's Office of Nightlife and Culture (MONC) in Washington, DC:** The new office will promote efficiencies for the District's after-hours economy by serving as a central point of contact between DC Government, the nightlife industry, and District residents."<sup>8</sup>

### RHI'S OVERVIEW ON SOCIABLE CITY ALLIANCES

A guide for how to structure a sociable city alliance charged with guiding a city's nightlife, including pros and cons of different structures, preliminary tasks and the job description for a night mayor/nighttime economy manager.

View: [www.rhiweb.org/documents/alliances\\_managers.pdf](http://www.rhiweb.org/documents/alliances_managers.pdf)

### RHI'S SOCIABLE CITY GUIDE: PUBLIC SAFETY AND POLICING IN NIGHTLIFE DISTRICTS

A free, comprehensive guide based upon a decade of research and collection of common practices among police departments from throughout the world. This guide highlights nighttime public safety practices regarding officer selection, recruitment incentives, deployment, specialized training, technology use, application of CPTED and SARA, collection of safety data, inter-disciplinary safety teams, etc. The section on training was developed largely from programs based in Edmonton, AB and Chicago, IL, which have some of the most comprehensive and rigorous programs for officer training. The section on the inter-disciplinary safety team is based largely on Seattle's model.

[http://rhiweb.org/safety\\_guide.html](http://rhiweb.org/safety_guide.html) **NYC's Best Practices Guide for Nightlife Venues:** The NYC Hospitality Alliance has compiled two best practices guides developed in partnership with NYPD, an informational video about active shooters in nightlife spaces, and sexual assault prevention training. <https://thenycalliance.org/information/best-practices-for-nightlife-establishments-1>

<sup>7</sup> <https://www1.nyc.gov/site/mome/nightlife/nightlife.page>

<sup>8</sup> <https://moca.dc.gov/page/mayor%E2%80%99s-office-nightlife-and-culture-monc>

### **SAN FRANCISCO'S ENTERTAINMENT COMMISSION**

Formed with a focused purpose in the management of nightlife and entertainment venues with the “the powers and duties to accept, review, gather information regarding, and conduct hearings for, entertainment-related permit applications.”<sup>9</sup> San Francisco’s commission model has the advantage of stability, regardless of changes in political leadership, because it was embedded into the city’s charter through a vote of the people. The diverse composition of commission members was also ideal by ensuring independence from the City by ensuring different stakeholder groups be included such as city neighborhood associations, entertainment associations, urban planning, law enforcement, and public health.

### **SAN FRANCISCO ENTERTAINMENT VENUES**

Responsible 100’ in any direction of their establishment for behavior that takes place.

### **SAN FRANCISCO WEBSITE AS CENTRAL LOCATION FOR RESOURCES TO SUPPORT NIGHTLIFE BUSINESSES**

<http://nightlifesf.org/assisting-nightlife-businesses/> NightlifeSF is a project of the San Francisco Office of Economic and Workforce Development. Handbook can be found at <http://nightlifesf.org/sf-nightlife-business-handbook/> to help nightlife businesses successfully operate and acquire permits from a number of government agencies.

### **SEATTLE'S ADMISSION TAX EXEMPTION FOR LIVE MUSIC VENUES**

Read qualifications at this link. <https://www.seattle.gov/Documents/Departments/FAS/BusinessLicenceTax/AT-Live-Music-Exempt-Packet.pdf>

### **SEATTLE'S NIGHTLIFE ESTABLISHMENT HANDBOOK**

Provides guidance and assistance navigating rules and regulations to open or operate a nightlife establishment.

Content includes city permits, zoning, parking restrictions, business licences and tax requirements.

<http://www.seattle.gov/filmandmusic/nightlife/nightlife-handbook>

### **STRATHCONA MUSIC FESTIVAL**

Similar to Rifflandia, where 15 to 20 venues participated in a live music festival based out of venues. Whyte Avenue was shut down to make it walkable. A common cover of \$20 gained patrons entry into all venues.

### **TORONTO'S MUNICIPAL LICENSING AND STANDARDS**

Established a team of bylaw officers to focus on sound enforcement at night.

### **TORONTO'S NIGHTTIME BYLAW ENFORCEMENT TEAM**

In 2019, Toronto Bylaw Enforcement created a team of municipal standards officers to inspect nightlife venues at night.

### **UNIVERSITY OF COLORADO BOULDER**

Requires students to do a certain number of public performance hours in venues or as buskers. Venues and musicians mutually benefit.

### **VANCOUVER'S NOISE BYLAW**

Cited as a best practice to consider because sound is measured at the generator of the sound (e.g. bar or club) vs. at the reception site like in Victoria.

### **WORLD CAFÉ IN PHILADELPHIA**

A live music venue that hosts student musician performances for one day.

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<sup>9</sup> <https://sfgov.org/entertainment/>





## **Committee of the Whole Report** **For the Meeting of December 9, 2021**

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**To:** Committee of the Whole **Date:** **November 30, 2021**  
**From:** Kerri Moore, Head of Community & Business Relations  
Karen Hoese, Director, Sustainable Planning & Community Development  
**Subject:** Municipal Alcohol Policy Report

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### **RECOMMENDATION**

That Council direct staff to:

1. Apply the following directions as the basis for developing and implementing a municipal alcohol policy and procedures:
  - 1) Develop guidelines for the review and evaluation of liquor licence applications;
  - 2) Establish greater clarity and accountability for liquor licence terms of operation;
  - 3) Clarify and communicate the liquor licence review process to the community;
  - 4) Ensure revision of the Noise Bylaw effectively considers late night noise issues;
  - 5) Reaffirm terms of reference for Late Night Advisory Committee; and
  - 6) Streamline the local government referral process.
2. Adopt a streamlined approach for the review of LCRB referred liquor licence applications as outlined in Approach 4 of Section 6 of this report, to be implemented as part of the municipal alcohol policy.
3. Direct staff to engage with community stakeholders and report back to Council with a recommended municipal alcohol policy and procedures, and any resource implications associated with implementation.

### **EXECUTIVE SUMMARY**

Council identified the development of a municipal alcohol policy as an action in the City's Strategic Plan. This initiative was intended to help ensure that the City supports the continuation of a vibrant hospitality sector, while addressing emerging issues between residential use and hospitality venues. The Responsible Hospitality Institute (RHI), a global leader in late night economy consulting, was contracted by the City to review and provide recommendations on policy, operational, and regulatory strategies for mitigating issues and improving Victoria's late-night economy. RHI subsequently conducted engagement with stakeholders and presented a report on their findings including final session held with City staff to review their recommendations.

Based on RHI's suggestions and staff's consideration of approaches that would most effectively serve the City at this time, several options were identified for further development. Staff believe these options can be developed to form a suite of policy, procedural improvements, and guidelines that will improve planning, management and overall outcomes with regards to the future of the hospitality sector.

## **PURPOSE**

The purpose of this report is to provide Council with information and analysis, and to confirm key directions for developing a municipal alcohol policy as directed through the Strategic Plan 2019-2022.

The proposed directions are intended to help address emerging issues and improve overall management of the late night economy. These relate primarily to mitigating potential noise and activity impacts associated with hospitality-related uses such as drinking establishments and restaurants, especially when located near residential developments. The proposed municipal alcohol policy will also provide consideration for safety and transportation while ensuring the late night economy remains vibrant.

## **BACKGROUND**

### Late Night Strategy

The Mayor's Late Night Task Force was initiated in 2009 in response to issues with transportation and disorder occurring at that time. Several recommendations were made and following a pilot period, were implemented as a program in 2010. This included direct funding for four special duty VicPD patrol officers, supervised late night taxi stands, a portable urinal program and support for other supporting initiatives, such as signage to encourage bar patrons to respect residences. A Multi-agency Task Force (MATF) was also initiated to conduct late night tours on a quarterly basis. The MATF team observes late conditions in the public realm and at venues, and shares information amongst participating agencies.

### Late Night Advisory Committee

The Late Night Advisory Committee (LNAC) was established through the Late Night Task Force to help support a safe, functional and vibrant downtown hospitality area. It includes representatives of the Victoria Downtown Residents Association, BC Restaurant and Food Association, Victoria Hotel Association, Downtown Victoria Business Association, Liquor and Cannabis Regulation Branch (LCRB), VicPD, hospitality venues, Island Health and the City (Arts, Culture & Events recently added). The committee meets quarterly to review conditions and provide any input on City late night program activities. If the committee has recommendations that require actions that are outside the scope of the late night program, resolutions are approved by the committee and directed to Council via their liaison on the committee.

### Strategic Plan

The Late Night Advisory Committee identified increasing issues between hospitality venues and the growing number of residential developments, primarily in the downtown. Like other cities, Victoria permits both residential and commercial uses such as restaurants and drinking establishments throughout the downtown. Victoria's city centre is compact with residential developments locating near hospitality venues. Expectations of arriving residents are often not consistent with a late night hospitality area serving 40,000 students, a metropolitan area of

400,000 and a strong tourism market. This need to manage “... interface conditions and (develop) strategies to mitigate conflict between residential development and bars, nightclubs and restaurants” was also identified in the Downtown Core Area Plan (DCAP).

In addition to an unclear understanding of expected conditions, other issues were noted by the committee:

- Lack of effective noise bylaw provisions for monitoring and enforcement
- Emerging concentrations of licensed seats at later hours creating disorder and safety concerns in the public realm
- Ineffective liquor licence terms and conditions to address residential impacts and public disorder
- Absence of policy and guidelines to support the liquor licence application process
- Lack of advanced planning to incorporate structural mitigation of impacts between residents and hospitality venues

While observed conditions did not represent a crisis *per se*, the committee believed that these issues would continue to grow and that it would be prudent to recommend policies and procedures be developed to ensure that late night hospitality areas would flourish and continue to coexist with residential land uses. In 2018, a recommendation to this effect was made to Council and subsequently adopted in the City’s Strategic Plan, specifically to “...develop a municipal alcohol policy to address concerns brought forward by the Late Night Advisory Committee.”

### Responsible Hospitality Institute

To assist in considering approaches to developing policy, the City contracted the RHI, an internationally recognized consulting organization specializing in best practices in the management of late night hospitality districts. RHI was to review Victoria’s late night economy and make recommendations for policy and management directions that would establish a firm foundation for a harmonious and vibrant hospitality sector. RHI examined existing policies and held several focus groups with stakeholders (e.g., Late Night Advisory Committee, hospitality venue operators, Music Advisory Committee). In 2019, RHI submitted a report (Appendix A) and subsequently met with staff to present and review the suggested directions.

### Victoria Music Strategy

Live music was identified by RHI as a key driver for late night economies and many cities have adopted this as a strategy for growth of the sector. Victoria recently adopted the Victoria Music Strategy that describes live music’s importance and identified ways that it could be better supported. This included considerations for reduced barriers and expanded hours for licensed music venues, and greater responsibility for sound mitigation on new developments located near music venues.

## **ISSUES & ANALYSIS**

Based on a review of RHI’s report and consideration for its applicability in Victoria’s context, staff have identified the following directions which they believe would provide the most effective basis for developing a municipal alcohol policy and procedures to improve licensing, and operation of hospitality venues.

## 1. Develop guidelines for the review and evaluation of liquor licence applications.

The City of Victoria currently does not have sufficient policies or guidelines to support the review of liquor licence applications that are referred to City by the LCRB. Staff propose to develop city-wide liquor licence application guidelines in consultation with key stakeholders and the community. The proposed policy and guidelines would be structured to consider and address key aspects related to geographic location, surrounding context, scale, type and concentration of hospitality establishments when considering Provincial licence referrals corresponding terms and conditions for outdoor patios, hours of operation and seating capacity.

It is anticipated that the policy and guidelines will recognize that hospitality establishments are generally located within the downtown area, as well as along commercial corridors and within urban villages and town centres throughout Victoria. This will provide a clear direction to residents and business owners in various geographic locations, especially in the downtown area where it will also inform appropriate measures to support the safety and vitality of the hospitality sector.

The policy and guidelines will therefore function as an important resource for business owners who are proposing changes to an existing business or establishing a new business. Residential developers may choose to incorporate additional structural elements to enhance sound mitigation, depending on location. The guidelines will also provide key information to guide the review and evaluation of liquor licence applications by staff and Council.

### Considerations

- Ensure the policy and guidelines consider the City's Music Strategy and Create Victoria plan

## 2. Establish greater clarity and accountability for liquor licence terms of operation.

Consideration for impacts to neighbours and management of adjacent public space are requirements of liquor licensees as described in the provincial legislation and the LCRB licence handbooks. However, appropriate mitigation strategies are not always captured in the terms and conditions of licences. Efforts by licensees to manage issues can therefore be incremental and inconsistent, thereby presenting ongoing unresolved issues.

LCRB's enforcement priorities are generally related to over-service, under-aged service and over-capacity of venues. Community impact provisions are often less definitive and more challenging for enforcement. LCRB does however, have enforcement mechanisms available to them, as well as the authority to amend licence terms and conditions where and when necessary.

Staff have been exploring opportunities to work more closely with LCRB in improving the terms and conditions of liquor licences as they relate to local government concerns. Staff believe that this should continue to be developed before other mechanisms are pursued, such as introducing stronger provisions under City business licencing.

### Considerations

- Collaborate with LCRB to develop more responsive, effective provisions for licence compliance or revise City business licence terms and assess supporting resource implications
- Ensure clarity of expectations and responsibilities for venue operators
- Clarify responsibilities for public safety and disturbance issues *outside* venue operators'

responsibility (e.g., VicPD)

### **3. Clarify and communicate the liquor licence review process to the community.**

RHI suggested that the liquor licence review process and decision-making criteria should be clarified and made more transparent to residents, developers and licence applicants. They pointed to an absence of communication materials and the benefits of having a point of contact at the City for information on liquor licence approvals. In tandem with an improved process, better communication would ensure that the City's goals and criteria in considering licence approvals are broadly understood well in advance of application for a liquor licence.

#### Considerations

- Ensure appropriate dissemination of information
- Consider supporting resource implications

### **4. Ensure revision of the Noise Bylaw effectively considers late night noise issues.**

Noise issues are the primary impact of hospitality venues on nearby residents. The City and LCRB have licensed hospitality businesses to operate until up to 2:00am and sounds from venues and the streets will occur until at least that time. Residents may therefore be subjected to noise that impacts them that cannot be mitigated through their own actions (e.g. closing windows).

The current Noise Bylaw presents challenges for City staff when responding to complaints. The sound often occurs late at night when staff services are not available and otherwise warranted. Staff must go to the complainant's residence to measure sound level at the "point of reception" and often the noise level does not contravene thresholds stipulated in the bylaw. Should the problem reoccur, the process must be repeated, all of which causes frustration on the part of the complainant.

Council has directed staff to investigate options to address noise issues relating to hospitality venues through the Noise Bylaw review process and present these through a separate report to Council.

#### Considerations

- Ensure revised Noise Bylaw provisions support practical and efficient means of monitoring and enforcement

### **5. Reaffirm terms of reference for Late Night Advisory Committee.**

The LNAC includes broad representation and meets quarterly to review late night conditions and the related City program that emanated from the Late Night Task Force in 2009. Terms provided for the committee at that time were to:

- Establish (a) Late Night Great Night Victoria Coordination Committee
- Partner (with the) Downtown Victoria Business Association, hospitality industry, City and other stakeholders to leverage expertise and resources
- Work toward (a) sustainable evening and late night economy
- (Act as a) catalyst for new initiatives to create and promote the "Late Night, Great Night vision.

Committee recommendations for initiatives and actions beyond the terms of the program and resources allocated by Council have been directed to Council via their liaison on the committee (e.g., request for late night bus service). RHI suggested that the role of committee could be elevated to provide greater leadership and prominence to the late night economy amongst other sectors. However, they also observed that there did not appear to be motivating conditions for doing so at this time.

Staff recommend the Late Night Advisory Committee terms of reference be reaffirmed by Council to ensure that its mandate and outputs are consistent with overall expectations. Considerations for committee membership, meeting frequency and resources should be appropriate for fulfilling its role. LNAC may continue to make recommendations to Council based on Council's referrals and/or other relevant subject areas where improvements to the late night hospitality economy can be made. These may include support for vulnerable patrons, enhancements to overall security, further development of transportation options and support for the Victoria Music Strategy.

### Considerations

- Ensure committee membership supports mandate and objectives of committee
- Ensure meeting frequency and effort of committee match expectations and need

## **6. Streamline the local government referral process.**

Liquor Licensing is under the jurisdiction of the Provincial government and is regulated by the LCRB under authority of the Liquor Control and Licensing Act. As part of the provincial licensing process, LCRB refers liquor licence applications to local government to provide an opportunity for municipalities to gather public feedback and assess applications in terms of noise and community impacts. The results of that assessment are communicated to LCRB through a Council resolution that indicates support, conditional support or non-support for applications.

At the City of Victoria, liquor licence application referrals are processed by the Chief Building Official. The process includes coordination of a multi-departmental staff review and a public notification process, and the recommended resolution is then reported to Council for consideration.

The process is applied to all LCRB referrals except those that the City opts out of under policy. Under current City policy, the City opts out of referrals for:

- Liquor Primary licences and lounge endorsements for manufacturers licences with less than 31 people that close before 10pm
- Patron Participation entertainment endorsements for Food Primary licences where they close at or before 12am (under provincial legislation, Food Primary applications for venues closing after midnight or that request a patron participation entertainment endorsement are referred to local government).

In previous years, LCRB referral volumes were approximately 10 applications per year; however, in 2021, 25 referrals have been received to date. The processing of liquor licence application referrals represents an increasingly significant draw on staff time. As a result, the referral process requires resources that exceed staff capacity and detract from other divisional priorities in Permits and Inspections. Creation of municipal alcohol policy provides the opportunity to consider streamlining the referral process, which could help to mitigate resourcing impacts.

Provincial legislation provides the following three options for local governments to process liquor licence application referrals:

1. Delegate authority to staff to provide a resolution on behalf of Council
2. Provide a Council resolution
3. Opt out of the referral process

These referral options may be used in combination or individually at the municipality's discretion. The following outlines potential alternative approaches for using these referral options for the review and evaluation of liquor licence applications, and highlights resource requirements and other considerations associated with each. Development of the municipal alcohol policy and guidelines will be informed by the chosen approach and will guide staff decisions and recommendations to Council.

### **Approach 1 – Develop policy that continues the current approach of referring liquor licence applications to Council to provide a resolution to LCRB.**

Under this approach, Council retains the current liquor licensing referral process and staff continue to prepare reports with recommendations for all applications.

#### Considerations

- Staff recommendations to Council would be based on assessing the applications and public feedback consistently with the municipal alcohol policy and Council would retain discretion in providing a resolution to the LCRB.
- The public would have the opportunity to respond to the application notification as well as to provide written commentary to Council members at Committee of the Whole.
- This approach would provide applicants with the highest level of certainty when developing their business plans in alignment with the municipal alcohol policy.
- This approach does not reduce administrative complexity or timelines associated with the municipal referral process and is the most resource intensive approach (the current volume of application requires approximately 2.5 working days for each application or 65 days/year (0.25 FTE) plus the associated Council process).

### **Approach 2 – Develop policy that utilizes the option to delegate authority to staff.**

This approach would delegate authority to staff, for all liquor licence applications, to provide a resolution to the LCRB on Council's behalf.

#### Considerations

- With the delegation of authority to staff to provide a resolution to the LCRB directly, Council would no longer consider liquor licence application.
- The process would continue to mirror the current referral approach in terms of the review process and public consultation. The municipal alcohol policy would guide departmental analysis of applications and result in consistent advice to the LCRB that supports City objectives.
- The public would have the opportunity to provide feedback in response to the application notification.
- This approach would provide applicants with the highest level of certainty when developing their business plans in alignment with the municipal alcohol policy.
- This approach would reduce administrative complexity and timelines associated with the municipal referral process.

- As this would eliminate Council review of applications and staff decision-making would be based on the Council-approved municipal alcohol policy, it is anticipated that this approach would result in a moderate reduction of staff resourcing needs.
- Delegation of this authority would be by bylaw and requires Council approval.

### **Approach 3 – Develop policy where the City opts out of providing a resolution to the LCRB.**

Under this approach the City would opt out of each liquor licence application conditional to it meeting the municipal alcohol policy and/or other new or existing regulations that pertain to liquor licenses. When a municipality opts out, the LCRB conducts the public consultation process.

#### Considerations

- When a municipality opts out of providing a resolution to the LCRB, staff still receive the applications from the LCRB to confirm compliance of each application with municipal policies as they pertain to liquor licences. Such policies may address hours of operation, occupant loads, and other operational aspects to ensure community needs are met.
- All public consultation would be conducted by the LCRB.
- The approach of opting out of the provincial referral process would provide a streamlined approval process for applicants.
- This approach reduces (but does not eliminate) the need for dedicated staff to review applications and may require an initial investment in additional resources to undertake additional policy work beyond the municipal alcohol policy.

### **Approach 4 – Develop policy that utilizes all three referral options. (Recommended)**

This approach identifies low risk LCRB applications that the City would opt out of, medium risk applications that would be delegated to staff, and higher risk applications that Council would consider.

#### Considerations

- This approach, which would use all three referral options permitted by provincial legislation, would consider the amount of risk involved with various types of applications to determine which option would best meet City objectives and community needs.
- Recommendations and decision-making would be based on the Council-approved municipal alcohol policy.
- Level of consultation and would be based on whether the application falls within a low, medium or high risk category, as determined through the development of the municipal alcohol policy (e.g hours of operation, occupancy).
- The approach provides high certainty for business owners when developing their business plans in alignment with the municipal alcohol policy.
- Depending on the structure of the policy, this approach has potential to reduce the time required by staff to review, evaluate and report to Council on liquor licence application referrals.

## **OPTIONS & IMPACTS**

### **Option 1 (Recommended):**

That Council direct staff to:

3. Apply the following directions as the basis for developing and implementing a municipal alcohol policy and procedures:
  - 1) Develop guidelines for the review and evaluation of liquor licence applications;
  - 2) Establish greater clarity and accountability for liquor licence terms of operation;
  - 3) Clarify and communicate the liquor licence review process to the community;
  - 4) Ensure revision of the Noise Bylaw effectively considers late night noise issues;
  - 5) Reaffirm terms of reference for Late Night Advisory Committee; and
  - 6) Streamline the local government referral process.
4. Adopt a streamlined approach for the review of LCRB referred liquor licence applications as outlined in Approach 4 of Section 6 of this report, to be implemented as part of the municipal alcohol policy.
4. Direct staff to engage with community stakeholders and report back to Council with a recommended municipal alcohol policy and procedures, and any resource implications associated with implementation.

### Resource Impacts

Given the suggested directions, the following potential impacts are identified:

- Costs for supporting additional business licence terms and conditions noted in the discussion of 1(2) above, should increase collaboration with LCRB not address issues.
- Costs for supporting resources required as part of the referral process.

### **Option 2: Council provide direction on any or all the above recommendations.**

#### *Accessibility Impact Statement*

Hospitality accessibility issues are generally not unique to the late night economy and accessibility concerns are generally addressed outside of a late night lens. An audit of late night venues may be pursued as part of the late night program.

#### *2019 – 2022 Strategic Plan*

Strong Liveable Neighbourhoods: “Develop a Municipal Alcohol Policy to address concerns brought forward by the Late Night Advisory Committee”

#### *Impacts to Financial Plan*

The financial impacts will depend on Council’s direction and will be presented with the final report on the Municipal Alcohol Policy.

#### *Official Community Plan Consistency Statement*

In its “vision in the citywide context”, the Neighbourhood Directions section of the Official Community Plan identifies the Downtown as the “... cultural, employment, business and entertainment heart of the Capital Region.”

The Economy section includes a broad objective (14.f) that the “...function of the Urban Core as the primary regional centre of employment, learning, arts, culture, entertainment, recreation and specialty retail is maintained and enhanced with high quality facilities, services and events.”

In its broad objectives, the Arts and Culture section includes that “...the urban core remains the

primary centre for the arts and culture in the Capital Region.”

#### *Downtown Core Area Consistency Statement*

The Downtown Core Area Plan includes the following section on Entertainment and Special Events:

9.27. Establish a management strategy to support and enhance the downtown evening and late night economy that addresses:

- 9.27.1. Initiatives to maintain downtown as the primary entertainment district for Greater Victoria.
- 9.27.2. Initiatives to manage and mitigate issues of public disorder.
- 9.27.3. Locational criteria and development standards for new entertainment-related uses.
- 9.27.4. Strategies to encourage the provision of a broader range of entertainment venues for varying ages and interests.
- 9.27.5. Interface conditions and strategies to mitigate conflict between residential development and bars, nightclubs and restaurants.

## **CONCLUSIONS**

This report outlines policy directions towards improving planning, management and overall outcomes for a vibrant and safe hospitality area where various land uses effectively coexist. It draws from the recommendations of the Responsible Hospitality Institute and broad input from City staff. Should Council approve these recommendations, staff will engage with stakeholders and prepare final recommendations for the municipal alcohol policy and procedures.

Respectfully submitted,

Michael Hill  
Community Development Coordinator

Ryan Morhart  
Manager, Permits & Inspections

Kerri Moore  
Head of Business & Community Relations

Karen Hoese  
Director of Sustainable Planning & Community  
Development

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

Appendix A: Responsible Hospitality Institute Victoria Report



## Committee of the Whole Report For the Meeting of April 9, 2026

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**To:** Committee of the Whole **Date:** March 13, 2026  
**From:** Curt Kingsley, City Clerk  
**Subject:** Proposed Capital Regional District Bylaw No. 4719 – Traffic Safety Commission Service Establishment Bylaw, Amendment Bylaw No. 5, 2025

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### RECOMMENDATION

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4719, “Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025.”

### EXECUTIVE SUMMARY

Attached for Council’s consideration is Capital Regional District Capital Regional District Bylaw No. 4719 – Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025. The specifics to the bylaw amendments are identified in the attached CRD staff report and accompanying attachments.

The Capital Regional District (CRD) Board is seeking municipal consent for CRD Bylaw No. 4719. The purpose of Bylaw No. 4719 is to repeal to the establishment bylaw for the Traffic Safety Commission service.

There are no financial impacts to the City or City taxpayers as a result of this requested repeal. All funds and assets of the Traffic Safety Commission would be transferred to the CRD’s new Transportation Service. At this point, no other impacts to the City’s Financial Plan have been identified. Impacts, if any, to future City of Victoria budgets will be brought to Council as part of future financial planning processes.

For the CRD Board to be able to adopt the bylaw, municipal consent is required from two-thirds of participants which includes 11 municipalities and the 3 electoral areas.

Respectfully submitted,

Curt Kingsley  
City Clerk

Susanne Thompson  
Deputy City Manager/CFO

**Report accepted and recommended by the City Manager**

**List of Attachments:**

- Appendix A: Letter dated March 10, 2026 from the CRD
- Appendix B: CRD Bylaw No. 4719
- Appendix C: CRD Staff Report – October 2025



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Corporate Services  
625 Fisgard Street  
Victoria, BC V8W 2S6

T: 250.360.3129  
F: 250.360.3130  
www.crd.bc.ca

March 10, 2026

File: 3900-30

City of Victoria Mayor and Council  
Attention Curt Kingsley, Corporate Officer  
1 Cenntenial Square  
Victoria, BC V8W 1P6  
**Via email:** [ckingsley@victoria.ca](mailto:ckingsley@victoria.ca)

Dear Curt Kingsley:

**RE: MUNICIPAL CONSENT FOR BYLAW NO. 4719 - TRAFFIC SAFETY COMMISSION ESTABLISHMENT BYLAW NO. 1, 1990, AMENDMENT BYLAW NO. 5, 2025**

On November 12, 2025 the Capital Regional District (CRD) Board gave three readings to Bylaw No. 4719, "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025".

The Capital Regional District is seeking municipal consent for **Bylaw No. 4719**, a bylaw to repeal the establishment bylaw for the Traffic Safety Commission service.

On November 12, 2025, the CRD Board approved Bylaw No. 4711 which was a governance bylaw to dissolve the current commission and a resolution was passed that the assets and obligations of the Traffic Safety Commission will be undertaken by the Transportation Service.

In order to adopt **Bylaw No. 4719**, consent is required from two-thirds of participants which includes 11 municipalities and the 3 electoral areas.

Please have your Council consider the bylaw at an upcoming meeting and return a response to us no later than May 1, 2026. Your Council resolution may be worded as follows:

***That Council [consent/not consent] to the CRD adopting Bylaw No. 4719, "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025".***

As background information, please find attached the proposed bylaw and staff report. In addition to municipal Council consideration, the bylaw will be forwarded to the Inspector of Municipalities for approval before returning to the CRD Board for adoption.

If you have questions regarding the dissolution of the Traffic Safety Commission or the Transportation Service, please contact Patrick Klassen, Senior Manager Regional Planning and Transportation, at [pklassen@crd.bc.ca](mailto:pklassen@crd.bc.ca) by telephone at 250.360.3244.

If you have questions about the bylaw approval process, please contact Deputy Corporate Officer Marlene Lagoa at [mlagoa@crd.bc.ca](mailto:mlagoa@crd.bc.ca) or by telephone 250.360.3127.

Sincerely,

Kristen Morley, JD  
Corporate Officer and General Manager, Corporate Services

Attachments (2)

cc: Ted Robbins, Chief Administrative Officer, CRD  
Becky Roder, Deputy City Clerk, City of Victoria

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4719

\*\*\*\*\*

A BYLAW TO REPEAL BYLAW NO. 1828, TRAFFIC SAFETY COMMISSION SERVICE ESTABLISHMENT BYLAW

\*\*\*\*\*

WHEREAS:

- A. Under Order In Council 285/1990, and by Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990", the Capital Regional District established a Traffic Safety Commission Extended Service;
B. The Board of the Capital Regional District wishes to repeal Bylaw No. 1828, as the function of traffic safety and requisition for its purposes may be assumed by the CRD's transportation service under Bylaw No. 4630, "Regional Transportation Service Establishment Bylaw No. 1, 2024"; and
C. Consent of the participants has been obtained under ss. 346 and 349 of the Local Government Act, and the approval of the Inspector of Municipalities is required for the repeal of this extended service bylaw.

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990", is repealed.
2. This Bylaw may be cited for all purposes as "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025".

READ A FIRST TIME THIS 12th day of November 2025
READ A SECOND TIME THIS 12th day of November 2025
READ A THIRD TIME THIS 12th day of November 2025
RECEIVED PARTICIPATING AREA APPROVAL UNDER SS. 346 AND 349 OF THE LGA THIS th day of 202\_
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS th day of 202\_
ADOPTED THIS th day of 202\_

CHAIR

CORPORATE OFFICER

I hereby certify the foregoing to be a true and correct copy of the Bylaw which was given third reading by the Board on the 12 day of November, 2025. Dated this 11 day of December, 2025.

[Signature] Deputy Corporate Officer



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## REPORT TO TRANSPORTATION COMMITTEE MEETING OF WEDNESDAY, OCTOBER 22, 2025

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**SUBJECT**     **Bylaw Nos. 4711 and 4719: Dissolution of Traffic Safety Commission and Service**

### **ISSUE SUMMARY**

To recommend transfer of Traffic Safety Commission (TSC) assets and remaining unallocated funds to the Regional Transportation Service (RTS), and to dissolve the TSC and repeal its service establishing bylaw.

### **BACKGROUND**

The approval by the Capital Regional District (CRD) Board of the new RTS under Bylaw No. 4630, "Regional Transportation Service Establishment Bylaw No. 1, 2024", has changed the framework for how regional transportation matters will be governed and implemented.

The goal of the RTS is to improve efficiency and integration for transportation across the region. Implementation of the RTS is underway, including preparations for the consolidation of the CRD's existing regional transportation planning and policy functions with the management and coordination of regional trail functions. Governance considerations have also been included within the RTS implementation, including the role of the Transportation Working Group (TWG) and the Traffic Safety Commission (TSC).

The TSC Service was established under bylaw in 1990 with the objectives to:

- a) Review Traffic Safety problems in the Capital Regional District and make recommendations to the Capital Regional District Board through the Administration Committee for the purpose of reducing or eliminating the problems;
- b) plan and operate Traffic Safety education programs within the Capital Regional District as provided for in the annual budget for the Commission, as approved by the Board of the Capital Regional District; and,
- c) administer an annual Scholarship program to be called the Constable Sarah Beckett Memorial Scholarship with a maximum \$2,000 value, to be awarded to a youth entering a career in law enforcement, applying criteria approved by the Capital Regional District Board.

The establishment of the RTS, with safety included as a core mandate, has created overlap with the TSC. The RTS service establishment bylaw specifically includes scope around road and trail safety, inclusive of planning, design and behaviour change. It is the intention of the RTS to incorporate and broaden the scope and responsibility for safety in the region. New governance structures will strengthen coordination on road safety by bringing together the topics previously considered by the TSC and Transportation Working Group (TWG) under a single body, the Regional Transportation Advisory Committee (RTAC). This structure will include consideration for thematic subcommittees and will be supported and resourced by CRD staff through the RTS. The outcome will ensure the continuance of the current TSC scope with the ability to provide greater resources and coordination. More details of the RTAC are presented in the staff report titled *Regional Transportation Advisory Committee Terms of Reference*.

As part of developing and implementing the RTS (as noted in the June 2025 Transportation Committee staff report on Transportation Governance), staff have engaged with both the TWG and the TSC on potential governance changes. Engagement with these groups reflected a commitment to integrating existing bodies and fostering a more coordinated, region-wide approach to transportation planning and safety.

Staff engagement with the TSC included a survey on operations and governance to ensure its perspectives were considered. Staff reported back with a summary of findings to the TSC in July. Responses emphasized the Commission's contributions in public education, scholarships, and grassroots safety initiatives, while also identifying opportunities for an expanded mandate under the RTS to include Vision Zero, Safe Systems approaches, data analysis, and engineering expertise.

In September staff shared the intent embodied within the recommendations of this report with the TSC. While there was general understanding for the rationale of transitioning to a new model, some expressed concern about the potential loss of the Commission's independent road safety voice. These perspectives reinforce the importance of ensuring road safety remains a priority within any new governance structure. Should the Board endorse the recommendations within this report, staff will coordinate with the TSC to make use of remaining meetings to advise RTAC on identified priorities. Staff will also coordinate with RTAC to consider the establishment of a new safety subcommittee, with an emphasis on the carry forward of identified priorities.

To dissolve the TSC, two bylaws and a resolution are proposed:

- **Dissolve Commission** – Bylaw No. 4711, "Traffic Safety Commission Dissolution Bylaw No. 1, 2025", dissolves the current commission. As a governance bylaw, it may be amended by three readings and adoption at a CRD Board meeting without consent of participants or Inspector of Municipalities approval;
- **Resolve to Transfer Assets and Obligations of the TSC to the Transportation Service** – A resolution of the Board that the assets and obligations of the TSC will be undertaken by the Transportation Service.
- **Repeal Establishing Bylaw** – Bylaw No. 4719, "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025", repeals the establishment bylaw for the TSC service.

## **ALTERNATIVES**

### *Alternative 1*

The Transportation Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4711, "Traffic Safety Commission Dissolution Bylaw No. 1, 2025" be introduced and read a first, second and third time;
2. That Bylaw No. 4711 be adopted;
3. That the assets and obligations of the Traffic Safety Commission Service under Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990", be assumed and maintained by the Transportation Service under Bylaw No. 4630, "Regional Transportation Service Establishing Bylaw No. 1, 2024", including that funds held for the Constable Sarah Beckett Memorial Scholarship continue to be used for that purpose;
4. That Bylaw No. 4719, "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025", be read a first, second, and third time;
5. That participating area approval be obtained by way of municipal and electoral area director consent; and
6. That if successful by two-thirds consent of participants, Bylaw No. 4719 be forwarded to the

Inspector of Municipalities for approval.

*Alternative 2*

That this report be referred back to staff for additional information based on Transportation Committee direction.

**IMPLICATIONS**

*Alignment with Board & Corporate Priorities*

The actions in this report align with the 2023-2026 CRD Board strategic priority to present options for changes in governance for transportation in the region, including the electoral areas. Additionally, they align with, Initiative 4a-1 in the CRD Corporate Plan to develop governance options, including consideration of a new transportation authority.

*Financial Implications*

The 2026 budget of \$76,982 for the traffic safety function will be transferred to the RTS budget. Surplus funds from 2025 operations and \$16,000 of donated funds for the Sarah Beckett Memorial Scholarship held by the Traffic Safety Commission Service will be transferred to the RTS.

*Service Delivery Implications*

The services currently delivered by the TSC will continue to be delivered by the RTS and can be accommodated with existing staffing. Engagement with the TSC identified a lack of dedicated staff resources as an issue. Integrating the TSC's responsibilities with the RTS will enable more resources to be dedicated to safety programming. Additionally, the TSC is a sub-regional service and whereas RTS safety programming can now be delivered regionally.

*Social Implications*

The TSC holds funds donated for the Sarah Beckett Memorial Scholarship and annually adjudicates this program to an eligible youth pursuing a career in policing. Without the TSC, the decision-making mind reverts to the CRD Board, acting as a whole. While some grants are administered by Executive Services and others by Committee, staff are exploring options which would delegate the scholarship nomination and selection to a third party or a sub-committee of RTAC, with the scholarship to be granted by the Board from the remaining funds available for the scholarship.

*Legal Implications*

The TSC as a governance commission, may be dissolved by bylaw by way of three readings and adoption by the CRD Board. The TSC service is an "extended service", an older term for a service which a regional district was empowered to create either by regulation or Order-in-Council. Should CRD choose to amend or dissolve the TSC service, it would require two-thirds consent of participants. The preferred approach would be by way of municipal and electoral area director consent, rather than alternative approval process, as this would be the more cost-effective method.

**CONCLUSION**

The TSC has served its function of advocating and working as a community body since the 1990s. The new Transportation Service may absorb this mandate. Should the Board choose to dissolve the TSC service, municipal consent and Inspector of Municipalities approval would be necessary.

**RECOMMENDATION**

The Transportation Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4711, “Traffic Safety Commission Dissolution Bylaw No. 1, 2025” be introduced and read a first, second and third time;
2. That Bylaw No. 4711 be adopted;
3. That the assets and obligations of the Traffic Safety Commission Service under Bylaw No. 1828, “Traffic Safety Commission Establishment Bylaw No. 1, 1990”, be assumed and maintained by the Transportation Service under Bylaw No. 4630, “Regional Transportation Service Establishing Bylaw No. 1, 2024”, including that funds held for the Constable Sarah Beckett Memorial Scholarship continue to be used for that purpose;
4. That Bylaw No. 4719, “Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025”, be read a first, second, and third time;
5. That participating area approval be obtained by way of municipal and electoral area director consent; and
6. That if successful by two-thirds consent of participants, Bylaw No. 4719 be forwarded to the Inspector of Municipalities for approval.

Submitted by:	Patrick Klassen, MCIP, RPP, Senior Manager, Regional Planning and Transportation
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Housing, Planning and Protective Services
Concurrence:	Kristen Morley, J.D., Corporate Officer & General Manager, Corporate Services
Concurrence:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer & General Manager, Finance & Technology
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

- Appendix A: Bylaw No. 4711
- Appendix B: Bylaw No. 4719

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4711

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A BYLAW TO REPEAL BYLAW NO. 3520, TRAFFIC SAFETY COMMISSION GOVERNANCE BYLAW

\*\*\*\*\*

WHEREAS:

- A. By Bylaw No. 3520, "Traffic Safety Commission Bylaw No. 1, 2008", the Regional Board continued the Traffic Safety Commission, a body to exercise the powers under the extended service created by way of Order In Council 285/1990 and by Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990"; and
B. The Board of the Capital Regional District wishes to repeal Bylaw No. 3520, as the function of traffic safety and requisition for its purposes may be assumed by the CRD's transportation service under Bylaw No. 4630, "Regional Transportation Service Establishment Bylaw No. 1, 2024".

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 3520, "Traffic Safety Commission Bylaw No. 1, 2008", is repealed.
2. This Bylaw may be cited for all purposes as "Traffic Safety Commission Dissolution Bylaw No. 1, 2025"

READ A FIRST TIME THIS th day of 202\_
READ A SECOND TIME THIS th day of 202\_
READ A THIRD TIME THIS th day of 202\_
ADOPTED THIS th day of 202\_

CHAIR

CORPORATE OFFICER

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4719

\*\*\*\*\*

A BYLAW TO REPEAL BYLAW NO. 1828, TRAFFIC SAFETY COMMISSION SERVICE ESTABLISHMENT BYLAW

\*\*\*\*\*

WHEREAS:

- A. Under Order In Council 285/1990, and by Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990", the Capital Regional District established a Traffic Safety Commission Extended Service;
B. The Board of the Capital Regional District wishes to repeal Bylaw No. 1828, as the function of traffic safety and requisition for its purposes may be assumed by the CRD's transportation service under Bylaw No. 4630, "Regional Transportation Service Establishment Bylaw No. 1, 2024"; and
C. Consent of the participants has been obtained under ss. 346 and 349 of the Local Government Act, and the approval of the Inspector of Municipalities is required for the repeal of this extended service bylaw.

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 1828, "Traffic Safety Commission Establishment Bylaw No. 1, 1990", is repealed.
2. This Bylaw may be cited for all purposes as "Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 5, 2025".

READ A FIRST TIME THIS th day of 202\_

READ A SECOND TIME THIS th day of 202\_

READ A THIRD TIME THIS th day of 202\_

RECEIVED PARTICIPATING AREA APPROVAL UNDER SS. 346 AND 349 OF THE LGA THIS th day of 202\_

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS th day of 202\_

ADOPTED THIS th day of 202\_

CHAIR

CORPORATE OFFICER



true and fabricated information. We are truly living in the Wild West of AI disinformation.

Collectively, from local governments to Provinces and the Federal government, we must come together and develop reasonable, rational, and enforceable regulations that safeguard everything we hold dear about democracy, while ensuring that AI can develop appropriately in relevant fields. To reign in AI's harms and threats, a concerted, whole-government approach is needed, as each level of government will face unique risks and concerns.

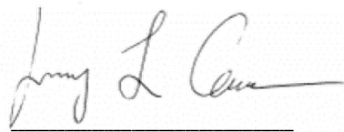
## **RECOMMENDATION**

That staff submit the following resolution to UBCM and FCM:

WHEREAS artificial intelligence (AI) should be considered a national security threat that presents risks to all levels of government and the principles that uphold democratic society;

WHEREAS AI has developed rapidly in recent years, in some cases sowing social discord, generating often false and misleading information, and becoming a tool of bad actors;

THEREFORE be it resolved that UBCM/FCM request that Provincial and Federal governments work collaboratively with local governments in creating reasonable and enforceable regulations of AI technologies that safeguard democracy and national sovereignty, mitigate social and political divisions, and proactively combat mis- and disinformation.

A handwritten signature in black ink, appearing to read "Jeremy L. Caradonna", is written over a horizontal line.

Coun. Jeremy Caradonna



The VCC has responded to this challenge by launching a grassroots campaign to raise \$850,000 for a brand new ice-plant, including new electric upgrades and installation. The ice-plant will cost \$650,000, and an additional \$200,000 is needed for design, consultation, electrical upgrades and building modification. The new ice-plant will ensure the VCC remains a hub for curling in Victoria, and that workers and members will be not harmed by toxic ammonia gas. Their plan is to order and install equipment in Summer 2026, so that members can resume curling in Fall 2026. Failure to replace it immediately would end curling at VCC and terminate the club's community programs and partnerships.

### ***City Support***

There are a few key reasons why City support is warranted:

- 1) **Municipal Partnership:** The VCC and City of Victoria have a very longstanding and close relationship. The land under the VCC is owned by the City of Victoria, and the two organisations have worked together for seventy-five years to support curling. Across Canada, many curling rinks are municipally owned, so when new equipment is needed, the municipality simply pays for required updates.
- 2) **Safety of Residents:** The VCC is currently using an ammonia ice-plant, which creates serious safety risk for members, staff and residents. If there is a leak, or an earthquake, there could be increased risk to residents. A new ice-plant removes these risks.
- 3) **Fundraising:** VCC members have already stepped and raised \$600,000. This impressive grassroots campaign shows that members have done their part, and the club is fully committed to this important project. With internal fundraising slowing, it's a good fit for the municipality to help them get to the finish line.
- 4) **Timing:** The VCC needs to order the equipment in Spring 2026, to allow time for the supplier to deliver the equipment, and installers to upgrade electric and install the ice-plant. It's critical this work happens in Summer 2026, so curling can resume in Fall 2026.

### ***Rebuild Our House and Support for the North Park Community***

The Victoria Curling Club is a cornerstone of the North Park community. The Club has a long-term modernization vision for the facility, and a City grant, paired with matching funds from the VCC, will keep the building's doors open.

This investment would also act as the catalyst for the VCC's broader [Rebuild Our House](#) campaign, which seeks the public, corporate, and government support necessary to complete the building upgrades required for the long term continuation of community programming. The VCC is prepared to leverage this momentum by exploring diverse revenue streams including potential naming rights and corporate sponsorships. By authorizing the ice plant matching fund grant now, the City will help provide the stability required for the VCC to attract the philanthropic partners needed to complete its big picture fundraising goals.

Securing the building's operational future also provides a timely, strategic solution to a neighborhood crisis. The North Park Neighbourhood Association (NPNA) is currently facing displacement from its home at United Commons, threatening the continuity of its vital food hamper program and general meeting space for their operations. The VCC's lower level offers an ideal, centrally located alternative for the NPNA. To unlock this space for the community and meet modern inclusivity standards, approximately \$110,000 in accessibility upgrades are required, including a commercial lift for lower-floor access (\$40,000), necessary electrical and site preparation (\$25,000), and an accessible washroom retrofit (\$20,000).

To attempt to ensure this accessibility goal is realized, Councillor Loughton will champion the Club's fundraising efforts, bridging the gap between recreational needs and essential community services. Her vision is that beyond the core money required for the ice plant, an additional \$85,000 can be raised to support the current crisis for the NPNA. This effort will welcome diverse contributions, including potential in-kind labor and professional donations.

Should Council adopt this motion on April 2nd, it will initiate a four-week fundraising drive to stabilize the VCC by April 30, 2026. The landing page for the fundraising campaign is here: [Victoria Curling Club - Rebuild Our House - Our Ice. Our Future.](#)

## RECOMMENDATION

THAT Council authorize a one-time grant of \$175,000 to the Victoria Curling Club for the replacement of its ice-making plant, with funds to be drawn from the 2026 Contingency Budget;

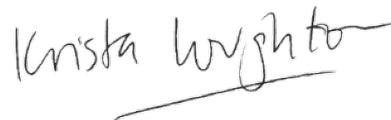
AND THAT the disbursement of these funds be subject to the Victoria Curling Club providing proof of secured matching funds in the amount of \$75,000;

AND THAT this motion be forwarded to the April 2<sup>nd</sup> Council meeting, for same day ratification.

Respectfully submitted,



Councillor Matt Dell



Councillor Krista Loughton