

PREPARED FOR:

City of Victoria

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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

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

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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 night¹. Research, interviews and on-site meetings have uncovered an infrastructure of need that goes beyond managing alcohol consumption and encompasses diverse subjects such as:

- 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.

1

¹ 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 recommendation 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 PUBLIC SAFETY | WENUE SAFETY

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.

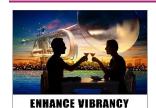
S1: IMPROVE AND MONITOR DISTRICT SAFETY

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

OVERVIEW OF TRENDS AND CHALLENGES

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." The City of Victoria has shifted from a "sleepy" and "peaceful" community to a vibrant city of entrepreneurs and start-ups. 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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² https://www.cbc.ca/news/canada/british-columbia/tech-victoria-inspirationseries-1.3446906

³ https://douglasmagazine.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

Late Night Task Force

Residence Disturbance Mobility Public Safety
Personal Health

Product Development

OVERVIEW OF GLOBAL NIGHTTIME ECONOMY TRENDS AND ISSUES

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.

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.

MUSIC IS THE HEARTBEAT OF SOCIABILITY

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.

PLAN AROUND FOUR LIFE STAGES TO SHAPE YOUR SOCIABLE CITY

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)









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

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.
- o **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:

- o Liquor primary licences: New applications and amendments
- o **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:

- o 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.
- o 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.

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)
- o **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.
- o Renewal process: Licences are automatically renewed every year, without a review process.
- o Concern with extra bureaucracy with the introduction of an elevated business licence.

DESIRED OUTCOMES

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.

- o 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.
- o 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.
- o Charge additional revenue fees for the licence to cover the cost of staffing.

OTHER CITY MODELS & RESOURCES

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

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

- □ 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

- 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)
 - o **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.
 - o **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

- 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:

Municipal Council liaison
 City government (e.g. Victoria Police, Downtown Coordinator)
 BC Liquor and Cannabis Regulation Branch
 Downtown Victoria Business

 Association
 Residents Association

 Downtown Victoria Business

 BC Restaurant & Food Services
 Hotel Association of Greater
 Victoria

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

ISSUES

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

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

PROSPECTIVE DIRECTIONS

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

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

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."4
- "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."
- 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." 6
 - 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.

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

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

⁶ 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:
 - o New social venues that will be located in proximity to an existing residential development
 - o 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

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.
- o 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.
- o 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.
 - o 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

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.

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

- 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

- □ 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

- 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.
 - o 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:
 - o 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

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

- Achieve reasonable co-existence among residential and social venue uses, given the hospitality area will continue to be located in the area.
 - o 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

- 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

- 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

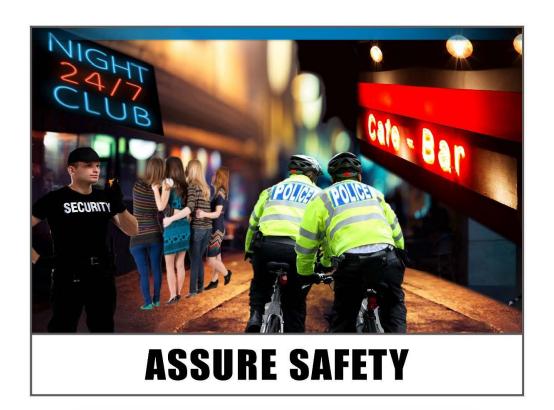
- **Employees and patrons** who live outside of Downtown Victoria or the city proper do not have transportation home after bar closing time. This has made it difficult for some businesses to hire staff.
- Taxi service is insufficient to meet nighttime demand, primarily during later hours and at closing 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

- 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.
 - o 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

- □ 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

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

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

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 10th 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

- 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

- 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

- 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

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

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

- 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

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.)
 - o **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

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 licencee 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:

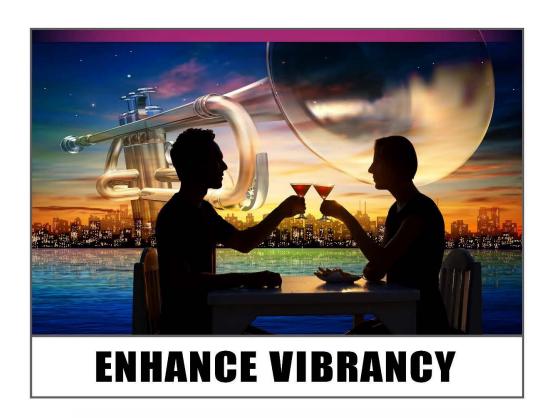
- Women feel unsafe when walking alone downtown late at night.
- There is limited awareness about strategies to prevent sexual harassment and address sexual violence amongst venue operators and their staff.
- There is concern about the safety of prospective ride-sharing services.
- Some venues are not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

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 twelvemember 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

- 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.

- 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

- **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

- 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, multipurpose event centers, lobbies of larger venues, airports, city public buildings, etc.

THE SOCIABLE CITY | ASSISTING BUSINESSES AND COMMUNITIES TO PLAN SAFE AND VIBRANT PLACES TO SOCIALIZE

- 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

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

- 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.

V2: ENHANCE SAFETY PROTOCOL AT EVENTS

CHALLENGE

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



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

- 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

• 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

- 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.
 - o Use a designated beverage container with event logo used solely for alcohol beverages at an event.
 - o **Prohibit people from purchasing alcohol in bottles or containers** other than those sanctioned by the event.
 - o **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.
 - o 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.

Business Licence Bylaw 2004	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.
	See Action A1: Elevate the Social Venue Business Licence.
Good Neighbour Agreement Bylaw for Venues 2002 Note: withdrawn from Business Licence Bylaw	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 licencee.
	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.
	See Action A1: Elevate the Social Venue Business Licence.
Noise Bylaw 2003	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.
	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.
	See Action P1: Overhaul Sound Policies
City Liquor Licensing Policy 2013	We suggest revisiting this licensing policy proposal, as it may provide a guide for how to designate hospitality emphasis areas.
Note: not implemented	See Action A5: Develop Hospitality Emphasis Areas.
Closing Hour Resolutions 2007 (Committee of the Whole Report re: Liquor Establishments Extended Hours)	The report sets out terms for granting extension of hours to liquor establishments and food primary establishments.
Liquor Licensing Policy 2017	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.
	However, this gap will be addressed by Action A1: Elevate the Social Venue Business Licence.

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.

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.

City of Victoria Special Occasion Liquor Licence in Parks

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: I 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.

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.

See Action V2: Enhance Safety Protocol at Events

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

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.

CHOICE OF SOCIAL OPTIONS

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
- o Dessert and late-night treats (though only available before 9:00 p.m.)

Events

- o Focused on cultural celebrations, music, etc.
- o Free events

Shopping

o 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

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

Artistic Expression

- o Poetry readings and poetry slams
- o 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

o Commercial quality classes that you can hire for a group

Historical and Geographic Offerings

- o 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

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

Nighttime Shopping

o 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

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

Size of Venues

Larger indoor venues that can support 300+ people

Operation of Venues

 $\circ\quad$ Stop restaurants from turning into bars late at night if they're not licenced to do so

DESIGN AND SERVICES

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

INSIDE VENUES

STRENGTHS

- 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

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

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

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

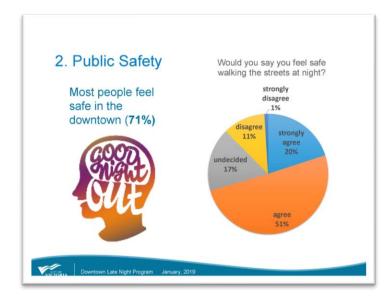
- Security staff (i.e. "bouncers") that are actively monitoring a venue.
- Bartenders and servers that ask for a patrons' consent before making them a drink purchased by another patron. ("Is it ok if this guy buys you a drink?") This conveys that consent is honored in the social experience.
- Educational 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.

ACTIONS

- 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-licenced 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)

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

June 25, 2019

Attendance: 17

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

LATE NIGHT ADVISORY COMMITTEE

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

June 26, 2019

Attendance: 4

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

WOMEN'S FOCUS GROUP

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

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."

"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."8

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

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 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

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

⁸ 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." 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.

⁹ https://sfgov.org/entertainment/

