

**CREATIVE CITIES, CREATIVE SPACES, AND URBAN POLICY: THE IMPACTS OF
REGULATIONS ON ARTIST-RUN CENTRES AND INDEPENDENT ARTS SPACES IN
VANCOUVER, BRITISH COLUMBIA**

by

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Abstract

Over the last decade, emergence and popularity of the creative city has generated considerable interest in the significance of arts and culture to economic and community development. In this context, artists and cultural facilities are considered essential assets contributing to creativity and innovation by attracting skilled workers and business investments, revitalizing inner city industrial areas, and discursively reimagining and rebranding the city through cultural events and large-scale cultural infrastructure projects. This research examines the effects of regulations on the creation and operation of artist-run centres and independent arts facilities as essential sources of cultural production and creativity in Vancouver, British Columbia. Drawing on a series of in-depth, semi-structured, face-to-face interviews with the founding members, administrators, directors/curators, and/or primary operators of twelve artist-run facilities in Vancouver, research examines how artists and arts administrators experience the process of achieving bylaw and regulatory compliance to manage and sustain the operations of non-profit and independent arts spaces in a post-industrial context of policy implementation and urban redevelopment. Research addresses the strategies artists' employ to achieve bylaw and regulatory compliance, as well as the contributions these spaces make to the cultural fabric of the creative city. Finally, research examines artists' primary motivations for continuing their creative practices in increasingly challenging arts market and policy context. Research findings reveal that while non-profit and independent arts spaces contribute to both community revitalization and artistic development, issues pertaining to the urban planning and policy limit their community and economic development potential. As a result, this paper calls for a constructive and collaborative approach to enabling cultural facilities development within local government, and a re-conceptualization of the creative city planning agenda to include both the cultural products of creative industries and the diverse cultural experiences of non-profit and independent arts organizations beyond their economic and commercial development imperatives.

Preface

Research for this dissertation involved interviews with human subjects. Ethics approval was obtained from the UBC Behavioural Research Ethics Board, Certificate Number H11-02512.

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1 Introduction

In the City of Vancouver, there exists a rich typology of cultural spaces for artistic production, presentation, and live performance. These include: artist studios, production workshops, live/work spaces, exhibition galleries, interdisciplinary cultural spaces, and commercial/entertainment venues. Through their diverse programming, however, artist-run centres and independent arts spaces provide unique opportunities for local, national, and international artists to experiment and master new techniques, find encouragement among peers and mentors, and connect with diverse audiences by means of exhibitions and live performances (Markusen and Johnson, 2006). Moreover, such spaces contribute to regional economies and to the social, cultural, and commercial characteristics of their neighbourhoods; providing artists with affordable access to dedicated creative production space, fostering career-building experiences through diverse forums, encouraging experimentation and the creation of new ideas, and promoting the distinctive cultural attributes of local areas (ibid). Despite these perceived advantages, few studies in the fields of economic and cultural planning policy in Canada address the extent to which regulations, as tools for cultural planning and cultural facilities development, impact the creation and operations of such spaces, or how venue operators experience the process of achieving bylaw and regulatory compliance to manage their operations in an increasingly challenging arts market. Informed by conceptualizations of the political economy of cultural and creative city planning, this research seeks to provide instructive insight into the effects of regulations on the creation and continued operations of dedicated, multidisciplinary spaces for cultural production, exhibition, and experience from the perspective of the artists and arts administrators who manage their programming and activities.

1.1 Introduction to the Context: The Cultural Economy

Since the 1980s, cities have experienced significant socio-cultural and economic restructuring. De-industrialization and the intensification of globalisation have caused human and financial capital to become increasingly mobile, requiring that cities aggressively position themselves as the most advantageous places to relocate in order to maintain a competitive advantage (Aguiar, Tomic and Trumper, 2005). In addition, a neo-liberal approach to local governance has shifted municipal planning objectives away from managing the economy,

infrastructure, and social welfare programs to encouraging entrepreneurialism and working in partnership with the private sector to economically regenerate cities (Hall and Hubbard, 1998; Peck 2005). In light of these developments, some researchers have emphasized the need for cities to re-imagine, re-invent, and re-brand themselves as places of consumption and capital investment (Aguiar et al., 2005; Bianchini, Fisher, Montgomery, and Worpole, 1988; Goodwin, 1993; Landry, 2003, 2006; Landry and Bianchini, 1995). Support for the traditionally dominant industries of heavy manufacturing and production, which once defined the economic success of many cities, has consequently been replaced with arguments emphasising the need to create a diverse, inclusive, and amenity-rich urban environment in order to attract and retain the creative workers of the new cultural economy (Currid, 2007; Florida, 2004; Landry, 2003, 2005; Sands and Reese, 2008). Notably, Richard Florida's (2002, 2005) arguments concerning the 'creative class' have sparked critical discussions about the importance of arts and culture as means of attracting and retaining young, educated, and creative entrepreneurs, and visitors and tourists, as well as investment from the globally competitive firms identified as critical sources of creativity and innovation in the post-industrial, knowledge economy. These cities are classified as 'creative cities' (Landry and Bianchini, 1995) in the discourse of urban geography. The work of Florida (2002, 2005) has been particularly influential in the promotion of this concept, arguing that creativity and economic growth are fostered within experiential cities that consist of abundant, high-quality experiences and vibrant neighbourhoods, where cultural character and street life can enhance the attractiveness and economic development potential of urban areas. The 'commodification of culture,' that is "the subsumption of cultural activities in the capitalist economy" (Krätke, 2011, p. 130) has correspondingly become a critical focus of political discussion and planning in a context of post-industrial policy implementation and urban redevelopment.

Local planning departments and municipal governments have responded to these ideas by building city images of the vibrant, 24-hour metropolis, or 'creative city' through policies designed to attract and retain creative workers, key industries, and cultural institutions. Since the beginning of the new millennium, municipal staffs in several cities have commissioned cultural plans targeting incentives to developing specialized cultural districts¹, building and expanding

¹ Primarily in central city and city fringe (former industrial) areas (Evans, 2009b).

cultural capacity and, creating new arts-specific revenue sources that will appeal to skilled workers, attract tourists, and revitalize downtown neighbourhoods (Aguiar et al., 2005; Markusen, 2006). New spaces for cultural consumption have been planned, invested, and built in cities across North America, including: concert halls, art galleries, high-brow restaurants, and cultural expositions (Hannigan, 1998; Zukin, 1995). The result has been a shift in policy priorities away from supporting traditional crafts² and place-based manufacturing towards creating renewed urban landscapes defined by distinctive niche markets, cultural production, and diverse cosmopolitanism (Evans, 2009a). Correspondingly, some inner city areas, such as Toronto's Distillery District, have transformed into pedestrian-oriented arts, culture, and entertainment areas, drawing on artisan and industrial imageries to create the kinds of trendy boutiques, galleries and cafes, and artist studio spaces that help to market localities as sites of diverse cultural activity. Markusen (2006) also notes that these efforts are often aimed at producing, attracting, and retaining artists for their contributions to the cultural economy and to the employers of creative industries. Yet, knowledge about what strategies work to support and sustain creativity through urban policy and planning is sorely lacking (Markusen and Gadwa, 2009). Some critics of creativity-led regeneration (Ley, 2003; Markusen, 2006; McCann, 2007; Peck, 2007; Rantisi, Leslie and Christopherson, 2006) maintain that although cultural spaces are often celebrated for their ability to re-enforce a city's cosmopolitan and creative characteristics, the success of attracting global capital, industry, tourism, and middle-class residents often comes with the dislocation of marginal cultural producers and genuine diversity. A second contradiction of the 'creative city' concept is that while cities are keen to expand and cosmopolitanise arts and culture, planning policies tend to favour the development of large performing arts, mega-event centres, and corporate forms of entertainment facilities as they are considered from a city management perspective as 'safe bets' in terms of their capacity to attract capital investments and generate commercial successes (Catungal, Leslie, and Hii, 2009). Correspondingly, Pickersgill (2006) argues that failure to consider the effects of planning policies on where and how alternative types of cultural facilities operate can adversely affect opportunities for diverse cultural experiences.

² Textiles, ceramics, jewellery/metal crafts (Evans, 2009a)

A parallel discourse in the literature concerns the role of the non-profit³ and ‘informal’⁴ arts sectors in contributing to the creation of a distinctive urban identity and experience. In particular, Pratt (2008) contends that literature concerning the ‘creative city’ and the ‘creative class’ have sidetracked important arguments about the role and potential of culture in cities. Evans (2009a) makes a similar claim, arguing that “the ‘old’ arts and *cultural* industries are now subsumed into, or a subset of the *creative* industries [and] are recognized and valued insofar as they attract the...knowledge workers the city is recruiting” (p.1008). Therefore, although academic discourses emphasize creativity in urban regeneration, Pratt (2008) and Evans (2009a) emphasize the importance of providing the conditions for cultural production in the non-commercial arts sector, rather than formulating policies and programmes that support cultural consumption among creative industries and their workers. Markusen (2006, 2009) also highlights the importance of artists in creating venues, performances, and cultural opportunities that are unique to their communities. In turn, Stern and Seifert (2007) argue that “the goal of policy and planning should be to nurture grass-roots districts, remove impediments that prevent them from achieving their potential, and provide the resources they need to flourish” (p.5). The emergence of the new cultural economy (Scott, 1997, 2006) has therefore introduced a range of strategies purported to raise the economic and community impacts of arts, culture, and creativity in the urban context. These arguments generate consideration of the influence of municipal planning and policy implementation on diverse cultural activity in metropolitan Canadian cities.

The cultural economy as a whole incorporates diverse subsectors of cultural practice into a highly differentiated field of activity ranging from commercial enterprise and cultural industries (such as entertainment and media industries, theatres and orchestras, music, film, television and radio production, the multimedia sector, and design and advertising firms), to non-profit and public organizations (such as museums and galleries), and small informally organized community arts facilities and artist-run centres (Krätke 2011). In some cases, the cultural industries have integrated knowledge-, design-, and technology-intensive production activities into a broad conceptualization of the cultural economy which includes universities, architectural firms, and video games producers (ibid). While Florida’s theory is based on the notion that cities

³ For the purpose of this research, the non-profit arts and cultural sector consists of organizations receiving public funding from federal and/or provincial governments.

⁴ The informal arts sector is organized by actors operating outside of formal for-profit or non-profit status. Activity in this sector is often dismissed in cultural policy and creative city discourses (Markusen and Gadwa, 2009).

which offer the best ‘qualities of place’ in terms of specific cultural amenities stimulate creative activity in a capitalist economy, this research examines the specific policy conditions that support non-profit and independent arts practices as essential sources of creativity and innovation outside the framework of capitalist competition and the continued striving for surplus profits. The economic and political context for cultural economy and creative city planning is discussed in Chapter 3. These arguments inform the theoretical foundation for the research.

1.2 Introduction to Artist-Run Centres

With a rich history that spans over thirty years, one of the most iconic varieties of cultural spaces in Canada are artist-run centres. Drawing on the description employed by the Pacific Association of Artist-Run Centres (PAARC)⁵ (n.d.), artist-run centres are “non-profit organizations, run by and for artists, supporting new and innovative practices in the arts” which provide shared workspaces, residencies, mentorships, exhibition, and performance spaces to amateur and professional artists of various disciplines and levels of professional development and expertise. The interactive formats of some artist-run centres also provide opportunities for artists to network with peers and mentors, engage with viewing audiences, and promote experimentation among artistic producers across all disciplines (Markusen and Johnson, 2006). In these ways, artist-run centres differ from other arts organizations and spaces that contribute to artistic development, such as educational institutions and teaching studios, presenting and producing organizations (theatres, museums, commercial galleries, clubs), arts fairs and crawls, artists’ live/work and studio buildings, and arts incubators (see Appendix A for a description of these organizations). In addition, artist-run centres have historically acted as powerful catalysts for creativity in cities by making significant contributions to their ability to home-grow, attract, and retain artists, art productions, and audiences. Research conducted by Markusen and Johnson (2006) in Minnesota emphasized the important roles played by artist-run centres in creating, enhancing, and organizing a pool of artists in major metropolitan areas by providing equipment, work space, instruction, exposure and networking opportunities for artists at all levels of development. Further, the visibility and accessibility of artist-run centres were purported to boost

⁵ The Pacific Association of Artist-Run Centres (PAARC) was established in 1988 as an association representing artist-run centres in British Columbia. Member organizations are artist-initiated and artist-controlled and work together to coordinate their opening receptions and events, collaborate on programming initiatives, and engage in advocacy work to benefit the practicing artist within the context of artist self-determination (PAARC, n.d.).

the state's creative economy by attracting artists to Minnesota and home-growing them in numbers exceeding the national norm (ibid). Correspondingly, some non-profit artist-run facilities have contributed to neighbourhood and community revitalization by raising cultural awareness, attracting artists and audiences to the neighbourhood, and enhancing the creative vitality of their immediate surroundings (Markusen and Johnson, 2006).

Originating from the desire to separate the artistic (or creative) from the economic, the traditional purpose of artist-run centres was to open an alternative space of critique outside of the commercial art market, and to establish artistic forms of soft autonomy and self-management for artists and arts spaces (Derksen, 2011). Over the years, a literature has emerged on Vancouver's artist-run centres and their contributions to the creation of a unique cultural ecology in the city (Douglas, 1989; Shier, 2007; Wallace, 1991; Wallace and Western Front Society, 1993). Although the arts and cultural sector has often been equated with non-profit organizations, an equally important 'informal' arts sector – organized by actors operating outside formal non-profit status – is gaining prominence as a source of cultural expression and creativity in cities. Due to the declining provision of dedicated cultural facilities and reductions in public funding, artist-run initiatives have emerged in small DIY spaces or studios-turned-galleries run by artists or curators from their homes or offices, in storefront studios, and in projects where, while perhaps not taking the traditional artist-run centre form of a gallery, the host 'space' is ephemeral or transient, such as roaming public art projects and artist collectives (Markusen and Gadwa, 2009). As such, the independent arts sector operates under a similar philosophy of artist-run culture by highlighting the importance of artists in creating venues, performances, and cultural opportunities that are unique to their communities (Stern and Seifert, 2007). Wallace (2011) also claims that there is an incredible amount of freedom and fluidity embodied in these spaces, with the independent capacity to produce and exhibit artistic work that reflects the interests of the organizers or curators involved, who are often artists themselves, and becoming the catalyst for cultural production and creativity rather than such practices being influenced or constrained by the consumer demands of the commercial art market. The energy and authenticity of artist-run initiatives, both artistically and curatorially, thus provide some of the most innovative kinds of contemporary creative practices in the development of vibrant and creative cities.

In light of their perceived advantages, this long-established approach to cultural production has resurfaced as a growing feature of post-industrial urban redevelopment (Evans 2009a). In London, United Kingdom, Worpole (1991) observed that “in addition to the performance-based arts, small-scale workshops production is back on the agenda again both in handicrafts and high-tech cultural forms” (p.143). Contemporary examples in Canada include Cité Multimedia in Montreal’s redeveloping industrial waterfront district, and the Liberty Hall complex in Toronto (Evans, 2009a) which became natural incubators for small enterprises initiated by artists and designers following the closure of former factories and industrial warehouses. However, as Sharon Zukin (1991) explains, the commodification of “loft living”, gentrification, and heritage tourism have displaced alternative spaces for cultural exchange and renaissance in cities. Similar processes have been described by scholars observing the economic, social, and physical transformations taking place in former inner city industrial districts including those in New York (Zukin, 1989), London (Evans, 2009a), Toronto (Catungal et al., 2009), and Vancouver (Ley, 2003). Despite considerable research into the impacts of changing market and real estate conditions on non-professional artists and non-profit cultural facilities in ‘creative cities’, the regulatory challenges affecting their operations have been largely undervalued or neglected in cultural policy and planning (Markusen and Johnson, 2006). The history of artist-run centres and spaces and their contributions to Vancouver’s cultural ecology are described in Chapter 4.

1.3 Introduction to Vancouver

Over the past quarter century, Vancouver has become a vibrant cultural and creative city destination. The last decades of the twentieth century saw (1) the dramatic expansion of service sector employment and businesses demonstrating an increasingly international (and more specifically Asia-Pacific) market- orientation; (2) international immigration, the rise of the ‘new middle class,’ and increased foreign direct investment in Vancouver’s property market; (3) the convening of ‘hallmark events’ such as Expo ’86 World’s Fair and the 2010 Olympic Winter Games, and; (4) the ascendancy of creative industries in the revitalization of downtown neighbourhoods (Murray and Hutton, 2010). Without claim to formal capital city status, Vancouver has also developed a network of civic arts organizations, expanding cultural infrastructure, and the highest proportion of artists, designers, and creators of any other major

Canadian city (ibid). Following the showcasing of culture in events such as Expo '86 and the 2010 Winter Olympic Games, Vancouver has positioned itself on the international arts scene, with commercial endeavours playing an increasingly significant role in the city's cultural and economic evolution as a creative city destination (O'Brian, 2007). These trends are reflected in recent cultural facilities and flagship infrastructure projects, including the Vancouver Art Gallery and Granville Island⁶, and a space economy typified by diverse specializations among creative industries situated primarily in inner city cultural districts, such as Yaletown, Gastown and Victory Square. To support the talent, diversity, and creativity theorized to stimulate growth in the new economy, the role of local governments in shaping a positive environment for artists and cultural infrastructure development has become a subject of popular discussion. In Vancouver, these discussions are critical at a time when cultural-led regeneration, rising property values, and a lack of philanthropic funding and public sector support have occurred while gentrification has shaped the development trajectory of many traditionally 'bohemian'; and lower-rent neighbourhoods along South Main Street, Victory Square, and the Downtown Eastside (Hutton, 2009c; Ley, 2003; Sacco, Williams, and Del Bianco, 2007).

Responding to processes of transformative urban redevelopment, municipal policy and planning initiatives implemented by the City of Vancouver have been influential agents of metropolitan growth and change (Hutton, 2004). As Hutton (2004) describes, the seminal *Central Area Plan* (approved in 1991) enabled the comprehensive re-ordering of inner city space by encouraging the emergence of specialized production clusters of creative industries, facilitating residential mega-projects, and enabling the establishment of spaces for cultural consumption and spectacle in the central city. The residential property market has also been driven by a wave of Asian investment from Taiwan, Singapore, Japan, and Hong Kong and other coastal Chinese cities and regions – processes which have precipitated an increase in the pace and scale of mixed-income, residential redevelopment in the downtown peninsula (Ley, 1989; Hutton, 2004; O'Brian, 2007). A tradition of land-use planning innovation reaches beyond city government with the redevelopment of Granville Island by the federal government regarded internationally as a model for the regeneration of inner city industrial land, initiated with the

⁶ Granville Island features the greatest concentration of arts/culture institutions in the entire region: The Arts Club Theatre, the Waterfront Theatre, Performance Works, the Playwrights Theatre Centre, and the Emily Carr Institute of Art and Design (Sacco et al., 2007).

explicit aim of fostering a unique oasis in the heart of the central city (Artscape, 2008). Strategic planning initiatives have therefore influenced the social and spatial character and geography of Vancouver.

Vancouver is an instructive example of a North American city that continues to pursue urban redevelopment through cultural policy and planning. In January 2008, Vancouver City Council approved the *Creative City: Culture Plan for Vancouver 2008-2018* – “a strategy aimed at sustaining and further supporting [a] burgeoning creative sector” (City of Vancouver, 2009). In adopting the new Culture Plan, Council directed City staff to initiate a complete review of all municipal policies, programs, and services that guide development in the City to begin the process of alignment with the new vision, values, and strategic directions. Among the comprehensive reviews completed included a Grant Program Review, Public Art Planning, and a Cultural Tourism Strategy. Also included in the Culture Plan is the recommendation for strategic infrastructure development. In 2008, the *Cultural Facilities Priorities Plan 2008-2023* was created to address the opportunities for the restoration and construction of spaces for artistic creation, production, exhibition and experience. Together, these plans provide the context for local Councils, planners, and regulatory bodies to prioritize the provision of cultural amenities in Vancouver over the next ten years.

According to Murray (2010), the internationalization of Vancouver’s artistic practices reflects a larger move within the municipality and the province to recognize the benefits of culture to the overall economy. Despite the need to provide cultural infrastructure, however, Pickersgill (2006) argues that current policy approaches in Vancouver (such as zoning and regulation) subvert the capacity of live performance venues to exist and contribute to urban life and culture. Similarly, the City of Vancouver (2009) *Cultural Facilities Priorities Plan 2008-2023* outlines a number of barriers to the successful creation and operation of cultural facilities. In particular, the systems that govern the use and safety of these spaces has resulted in a complex regulatory structure that is not always consistently applied, up to date, or harmonized with other regulatory schemes (Artscape, 2008). Further, a lack of knowledge or experience of municipal regulations among members of Vancouver’s diverse cultural community has compromised the capacity for some venues to offer their programs, causing several to begin operating underground (ibid). From this starting point, City Council, in May 2009, directed City staff to begin

harmonizing and modernizing the regulatory system. Guided by the *Culture Plan for Vancouver 2008-2018* and the *Cultural Facilities Priorities Plan 2008-2023*, Cultural Services staff launched the Regulatory Review for Live Performance Venues in September 2009. The purpose of the review is to improve the City's regulatory systems to sustain the operation of live performance venues⁷, including arenas, nightclubs, theatres, galleries, interdisciplinary cultural spaces, and cafés/bars with music or performance programs in the City of Vancouver. Similarly, the Artist Studio Regulatory Review was launched in Fall 2010 to identify and address issues related to the creation and operation of both artist 'work-only' studios and artist 'live-work' studios (City of Vancouver, 2011b). Other creative production spaces are not included in these reviews. Examining the regulatory conditions under which cultural spaces can sustain healthy operations in the city has hence been recognized as a critical part of supporting the practices of an existing arts and cultural workforce within an evolving urban context.

1.4 Problem Statement

As the cultural economy and creative city discourses gain popularity among municipal planners and policymakers, cultural policy and planning have become strategies for encouraging economic and community redevelopment. Within this framework, artists and cultural facilities are considered essential assets contributing to creativity and innovation by attracting skilled workers and business investments, revitalizing previously declining inner city industrial areas, and discursively reimagining and rebranding the city through mega-events and cultural infrastructure projects. At the same time, however, the lives of many artists are fraught with low incomes, modest exposure and acclaim, and a great deal of uncertainty (Markusen and Johnson, 2006). In particular, it is becoming increasingly difficult for many aspiring artists to afford the training and the space required to pursue their work as policies which privilege the formation of cultural districts and tourist-targeted investments in cultural facilities development have contributed to socioeconomic stratification, gentrification, and displacement: negative externalities associated with pursuing the creative city agenda.

⁷ For the purposes of this review, live performance venues include both indoor and outdoor, temporary and permanent spaces for live music, theatre, dance, media, interdisciplinary, festivals and performance arts. This includes spaces for celebratory events and activities (City of Vancouver, 2011a).

As Vancouver moves from a resource-based to a service-based economy, it is becoming increasingly difficult for artists to secure dedicated spaces for cultural production, presentation, and live performance, especially in central city areas. Indeed, urban economic restructuring, socio-cultural change, and various policy interventions have accelerated processes of post-industrial urban redevelopment by initiating major land use changes that have promoted higher-density living and commensurate consumption, specialty retail, and tourist amenities (Hutton, 2004). Processes of policy-led urban regeneration have consequently been accompanied by the redevelopment of industrial lands, the arrival of international migrants and skilled workers, the emergence of specialized cultural districts, and the social upgrading of residential neighbourhoods – resulting in the loss of affordable work, studio, and performance spaces for artists in the city. Redevelopment and increasing real estate values are just two of the many reasons why it is difficult for artists to find and secure space. Other reasons are presumably linked to restrictive land-use designations and municipal regulations which limit artists' abilities to create and sustain the operations of creative production facilities. In the search for affordable space, some artists have banded together and turned to the idea of forming co-operatives in an effort to collectively own and manage non-profit or independent arts facilities for cultural production, exhibition, and live performance. The result has been the emergence of artist-run centres and independent arts facilities located throughout the City of Vancouver.

While recent scholarship has addressed some of the challenges associated with creating and sustaining the operations of cultural spaces in creative cities, including Vancouver (Macdonald and Chai, 2007; Pickersgill, 2006; Poon, 2010; Sacco et al., 2007), the primary purpose of this research is to determine the extent to which regulations impact artist-run centres and independent art spaces as producers, presenters, and catalysts for creativity in the City of Vancouver, British Columbia. Interviews conducted with artists and arts administrators examine the effects of regulations on artist-run centres and spaces in Vancouver, as well as how venue operators, as members of Vancouver's diverse arts and cultural community, experience the process of achieving bylaw and regulatory compliance to manage and sustain their operations in a post-industrial context of policy implementation and urban development. While scholarly literature on the cultural economy and the creative city has addressed the economic advantages of supporting the presence of artists and arts facilities as sources of cultural expression and creativity, the research also aims to better understand the significance of artist-run centres and

spaces to the cultural economy in Vancouver from the perspectives of the artists and arts administrators who manage their programming and activities. As such, the research aims to contribute to a burgeoning body of critical literature on the creative city. Finally, research seeks to examine artists' primary motivations for sustaining the continued operations of these facilities as essential sources of cultural production and creativity in Vancouver. Given the creation and implementation of new cultural policy and planning initiatives, and the significant presence of artists in the city, this research is intended to provide insight into the City of Vancouver's capacity to support arts, culture, and creativity through urban policy and planning at the local level. Collectively, this research provides important insight into the roles and responsibilities of municipal planners and policy officials in supporting the operations of dedicated spaces for cultural production and exhibition in the city.

1.5 Research Approach and Methodology

The development of a conceptual framework for this research involved a review of policy research on the cultural economy of the city and general processes of development which yielded significant results. The literature was used to develop a framework through which the empirical components of the study were evaluated and used to assess the role of regulatory policies and planning in influencing the urban context in which artist-run centres and independent arts spaces develop and operate in the City of Vancouver. Both interviews and case study research methods were employed for the purpose of data collection. Situating the research problem in a practical planning context, this research focuses on selection of twelve artist-run centres and independent arts facilities offering a range of cultural programs and activities in the City of Vancouver. A series of in-depth, semi-structured, face-to-face interviews were conducted with the founding members, administrators, directors/curators, and/or primary operators of these spaces. Respondents were involved with the art space, often from inception, and/or were responsible for managing its daily operations. All interviews took place between November 2011 and April 2012 and lasted approximately one to two hours. Interview questions related to the primary regulatory challenges associated with creating and operating the space, the strategies the organization has employed to address these issues, and what factors compel the interview participants to achieve bylaw and regulatory compliance. The purpose of the interviews was to understand artists' experiences with regulations, the strategies they employ to address regulatory issues, as well as

their primary motivations for continuing their creative practices in Vancouver. After allowing the participants to emphasize what they considered most important in regards to these topics, the researcher probed for more specific details on the issues identified in relation to the literature and case study research. While this study does not attempt to provide a comprehensive analysis of municipal policy and planning or its effects on cultural facilities development, it does provide a deeper understanding of artists' perceptions and experiences with regulations – providing further direction for policy analysis and a springboard for additional research on the topic.

1.6 Thesis Overview

Following this introduction, Chapter 2 provides an overview of regulations and the regulatory structure of the City of Vancouver as it is conceptualized for the purpose of this research. To theoretically situate the problem statement, a review of relevant literature concerning the creative economy, cultural planning, and cultural infrastructure development is provided in Chapter 3. An introduction to the case study of Vancouver is offered in the first section of Chapter 4, including a discussion of the city's economic development trajectory and the factors of urban growth and change impacting the arts and cultural community. Cultural policies and planning initiatives, and the significance of artist-run centres and spaces to the creation of a unique cultural ecology in the city, are also discussed in Chapter 4. Next, Chapter 5 describes the case studies, and the methodology and research methods employed for generating qualitative data for this research. Chapter 6 provides a summary of the research findings, while Chapter 7 discusses these findings in relation to the research objectives. Summary remarks and recommendations are discussed in the final chapter.

2 Regulations

Regulations are a complex area of planning policy that encompass many different factors critical to cultural facilities development. In Canada, regulations are mandated at the provincial and municipal level, with the practice of land use planning fulfilling specific urban and regional development goals. In the City of Vancouver, the *Vancouver Charter* (1953) contains the rules that govern how the city operates and what bylaws City Council can create to regulate such things as land use and building construction, permitting and licensing conditions, powers of inspection, and site specific discretion which guide processes of planning and development. For the purpose of this research, regulations are defined as the civic policies, bylaws, guidelines and other requirements that regulate the establishment and maintenance of cultural infrastructure in the City of Vancouver, comprising four general categories: (1) Land Use and Zoning; (2) Development and Building; (3) Occupancy and Business Licences; and, (4) Liquor Control and Inspection Services. Defining the parameters of regulations in this way provided participants with opportunities to discuss their experiences with a range of regulatory issues, as well as their perceptions of the extent to which these policies influence the operations of artist-run centres and independent art facilities located throughout the City of Vancouver.

2.1 Land Use and Zoning

Zoning regulates the use and development of property in the City of Vancouver through bylaws that encourage the concentration of compatible land uses and buildings. The *Zoning and Development Bylaw* is a collection of regulations that govern how development may occur in various zones throughout the City as defined in the Zoning District Plan. Each zone has its own unique requirements for development, as described in the individual District Schedules, and are grouped into discrete categories which encompass different uses: “R” for residential zones, “C” for commercial zones, “M&I” for industrial zones, and “HA” for historical areas (City of Vancouver, 2007a). Some districts have accompanying Council-approved guidelines for development applications while others are governed by an Official Development Plan (ODP), an Area Development Plan (ADP), or a combination of the two (City of Vancouver, 2012a). The permanent, indoor cultural venues included as case studies in this research are located in one of the following zoning districts: Downtown District (DD), Industrial District (MC-1 and IC-3), and Historic District (HA-1 and HA-1A). Conditions of use and the extent to which a regulation may

be relaxed are stated in the bylaw and decided by the Development Permit Board, the Director of Planning or designated staff (City of Vancouver, 2007b). See Appendix B for a description of the ‘Cultural and Recreational Uses’ prescribed in the *Zoning and Development Bylaw*, and Appendix C for the District Schedules pertaining to the cultural venues included in this research.

Another type of zoning district is the Comprehensive Development District (CD-1) that is intended to accommodate special uses or forms of development which do not fit within a standard zoning district schedule (City of Vancouver, 2012a). Council may establish certain conditions (e.g., legal agreements or other agreements) that must be met prior to the enactment of the *CD-1 Bylaw*, and other conditions (usually pertaining to design) that must be met before a development application can be approved (ibid). Over 400 sites are governed by individual, custom-designed CD-1 bylaws in the City of Vancouver (City of Vancouver, 2012a). Correspondingly, zoning is purported to reflect and facilitate Council’s policies and community goals, as well as direct future development in the city and its neighbourhoods.

A rezoning is a legal change to the *Zoning and Development Bylaw*, which reassigns the use of land and buildings and administered changes to the Land Use and Development Policies and Guidelines (City of Vancouver, 2012a). Anyone who wants to develop a property in a way that does not comply with the applicable zoning regulations is required to apply for rezoning. For cultural venues, rezoning and major development applications may be required if a space is not zoned to permit multiple uses or public assembly. All such changes are reviewed by the Planning department, and are subject to approval by the City Council at a public hearing. The process involves meeting with an assigned rezoning planner who assesses the application requirements and specific zoning proposal (City of Vancouver, 2012a). If the proposal appears to have community or city-wide benefits, the applicant is advised to make a written enquiry to the Director of Planning and refine the proposal prior to submission (ibid). Once received, City staff members seek input from various departments, the public, and advisory groups to the City (such as the Urban Design Panel, Vancouver Heritage Commission, etc.). The rezoning planner may also require that an open house be held in the community to provide information about the application and solicit the opinions of surrounding property owners and residents (City of Vancouver, 2012a). The application is then evaluated by Planning staff, taking into consideration the input received, and a report is written to Council which provides a complete analysis of the

application and a recommendation of support or refusal⁸ (ibid). The entire process averages six to nine months, but can extend depending on the issues raised, the need for public information meetings, and the completion of special impact studies or revisions to the application as required.

2.2 Development and Building

‘Development’ is defined in the *Vancouver Charter* as “a change in the use of any land or building, or the carrying-out of any construction, engineering or other operations in, on, or under land or land covered by water” (City of Vancouver, 1953). Correspondingly, all new construction (including additions and exterior alterations), many changes of use, and any physical alterations to a building or parcel of land in the City of Vancouver require a Development Permit (Appendix D). Further, a Building Permit or Special Inspection Permit are required for all new buildings, additions, alterations or renovations in order to determine compliance with the Vancouver *Building Bylaw* as it relates to occupant safety and physical reconstruction (City of Vancouver, 2007b). Plumbing, electrical, gas and other related Trades Permits are also required if such work is to be completed. If the venue is located in a designated heritage building, it may be also be necessary to apply for a Heritage Alteration Permit, issued at the discretion of the Director of Planning, to ensure that any alteration or upgrades maintain the integrity or ongoing use of the structure (City of Vancouver, 2007b). The City of Vancouver Heritage Department must be consulted to determine if such procedures apply (ibid). A building must be properly zoned under the appropriate district category in order for a Development Permit or Building Permit to be approved. Terms and conditions related to the design and construction of buildings, as well as the administrative provisions related to permitting, inspections, and enforcement of requirements are regulated by the Vancouver *Building Bylaw*,⁹ provided in Appendix E (City of Vancouver, 2012c).

Applications for Development Permits must be submitted with plans and drawings that adequately describe a project and identify the uses of the site and its surroundings. Requirements

⁸ When Planning staff recommend approving a rezoning application, they frequently attach conditions of approval to it. Some of these may be conditions that must be met before the rezoning bylaw is enacted such as legal agreements, site consolidation, and servicing costs. For CD-1 rezonings, Council may also establish other conditions, usually pertaining to the form of development, that must be met prior to approval of a Development Permit (City of Vancouver 2012b).

⁹ The Vancouver Charter enables the City of Vancouver to adopt bylaws to regulate the design and construction of buildings. The Vancouver Building Bylaw is based on the 2006 British Columbia Building Code; however, Vancouver’s ability to adopt its own Building Bylaw is unique in BC (City of Vancouver 2012c).

for supplementary drawings and documents will vary depending on the nature of the proposal, and may include a site plan, floor plans, elevation drawings, and project statistics that illustrate how the proposed development compares to the corresponding bylaw regulations (City of Vancouver, 2007b). At application intake, City staff review the submission for completeness and conduct a cursory bylaw review to determine compliance with the *Zoning and Development Bylaw* and *Parking Bylaw* (ibid). When land use policies or design guidelines are applicable, or when discretionary increases or bylaw relaxations are sought, it may be determined that additional information is required. This can include a topographical survey, building grades, a landscape plan, and acoustical evaluation (City of Vancouver, 2007b). A site inspection or field review may also be required to assess site conditions and relationship between the proposed development project and adjacent buildings (ibid). When deemed appropriate, or when required under the bylaw, feedback is sought from other departments, divisions, and advisory panels to the City (i.e., Heritage Planner, Area Planner, Urban Design Panel, Engineering Services, Legal Services, etc.) (City of Vancouver, 2007b). Once all the information is gathered, analyzed and discussed, a recommendation is made to the Director of Planning. If the application is refused, or if any of the conditions are disputed, the applicant may file an appeal to the Board of Variance¹⁰ (ibid). The duration of the approvals process consequently varies depending on the type, size, and complexity of the project, as well as the adequacy of the information filed by the applicant (City of Vancouver, 2007b).

2.3 Occupancy Permits and Business Licensing

An Occupancy Permit is required for all commercial and multiple dwelling buildings, and upon the issuance of a Building Permit or Special Inspection Permit for tenant improvements and/or changes of use (City of Vancouver, 2011c). Approval is required for public assembly in a cultural venue, so long as the space is zoned for such use. The Occupancy Clerk is responsible for obtaining all of the required permit clearances and related approvals prior to the issuance of an Occupancy Permit (ibid). Staff in the Licences and Inspections Department of City Hall work closely with inspectors from Building, Electrical, Property Use, Licensing, Fire Prevention, Engineering, and Law departments for completing required procedures and approval processes

¹⁰ The Board of Variance is an appeal body, separate and independent from the City. The Board hears and makes decisions on appeals regarding zoning, development permit, signage and tree bylaw matters (City of Vancouver, 2007b).

(City of Vancouver, 2011c) The duration of the approvals process is purported to vary depending on the scope of the repairs/alterations required, how quickly the necessary permits are obtained, receipt of required approvals and clearances, and volume of applications received (ibid). There is no fee when processing application for new commercial buildings, tenant improvements, and changes of occupancy; however, all other permits must be approved before an application for an Occupancy Permit can be issued by Inspection Services.

The *Licence Bylaw* regulates the issuing of licences to business, professions, and other occupations within the City of Vancouver (City of Vancouver, 2012d). Depending on the type of business and the location where the business is conducted, a Business Licence may or may not be permitted, or may only be permitted after a Development Permit is obtained (ibid). A review of the property is provided by staff at the Occupancy and File Research Centre, who may issue a special inspection of the building, or a Building Permit, if the approved use of the building allows a particular type of business to operate in those premises¹¹ (City of Vancouver, 2012d). Before a Business Licence is issued, it may be necessary to obtain other approvals from the Policy, Fire, and Health Departments. Some Business Licence categories also require certificates from the Province of British Columbia (ibid). All licences must be renewed annually (City of Vancouver, 2012d). Penalties are applied to late payments, as set out in the *Licence Bylaw*, and processing times for renewal can vary depending on the type of licence and the time of year during which the applicant is seeking approval (ibid). If the account has been closed for two consecutive years, the applicant is required to apply for a new Business Licence (City of Vancouver, 2012d) (see Appendix F for a full description of the *Licence Bylaw*).

Temporary event licences and permits are also required for businesses producing special events or activities in the City of Vancouver. Two special events offices are responsible for determining regulatory compliance related to temporary event licences and permits, and for assessing the anticipated impacts on residential and/or business practices – one as part of the Park Board for events held in or around parks, and one as part of City of Vancouver Engineering

¹¹ Three types of businesses require licences in Vancouver: (1) Commercial and industrial business (i.e., a business based within a building located in a commercial or industrial area of the City of Vancouver as defined in the Zoning and Development Bylaw); (2) home-based businesses (i.e., a business based in a dwelling located in a residential area in the City of Vancouver as defined in the Zoning and Development Bylaw); (3) Out-of-town businesses (i.e., businesses being carried out in the City of Vancouver, but within the business office located outside of Vancouver) (City of Vancouver, 2012d).

Services for all other events (City of Vancouver, 2012e). Applications must include an event budget, copy of registered non-profit status, and detailed schedule of activities (ibid). City staff review all applications and evaluate the proposal against the suitability of the site to accommodate the event, as well as expert feedback obtained from City staff, including members of the Vancouver Park Board, Fire and Rescue Services, Vancouver Police Department, Development Services, Engineering, and Licences and Inspections (ibid). Outside partners may also be consulted in the process, including B.C. Ambulance Service, TransLink and its affiliated companies, the B.C. Liquor Control Board, and Vancouver Coastal Health (City of Vancouver, 2012e). According to the City of Vancouver (2012e), there are few absolute rules for reviewing applications; however, the length of time required for approval varies depending on the size and nature of the event, as well as its prospective impacts on communities. Smaller events (i.e., block parties, neighbourhood rallies) may be approved in a matter of days, while larger events offering alcohol and/or multiple activities may require additional permits, influencing the amount of time required to complete the approvals process. All new and/or significant events require City Council approval, which can take up to three months or more (ibid). In many cases, events, or elements of events, will be approved or rejected largely because of their prospective impacts on the community as determined by Engineering Services and the City of Vancouver Licensing Department (City of Vancouver, 2012e). Exceptions may apply to reflect specific filming requirements, as City staff familiar with the needs of the Vancouver's film industry issue permits and related approvals to production companies through the City of Vancouver Film Office (City of Vancouver, 2012f).

2.4 Liquor Licences and Inspection Services

To offer the sale and service of alcoholic drinks in the City of Vancouver, all businesses require a Liquor Primary Licence issued by the Province of British Columbia, Liquor Control and Licensing Branch (LCLB). The branch alone is responsible for deciding if a Liquor Licence will be approved. The City of Vancouver also plays a significant role. Council policy requires that new liquor licences be subject to a Time-Limited Development Permit, Good Neighbour Agreements, and public consultation (City of Vancouver, 2012g). This includes, for some applications, asking the City of Vancouver to provide a resolution that considers the establishment's location, capacity, operating hours requested, views of neighbourhood

businesses and residents, proximity other social or recreational facilities, potential traffic, noise and parking problems, and prospective impacts on the community if the application is approved (ibid). All applications for consideration by City Council are subject to a public hearing to assess the potential impacts of the proposal on area residents and business operators (City of Vancouver, 2012g). Processing fees are determined by the degree of public consultation required for each application. Various municipal departments also assess the application and provide comments, including Police, Fire Prevention, Development Services, and Social Development (including Central Area Planning, Heritage Planning, and Cultural Planning when applicable) (ibid). Following the assessment, the Chief Licence Inspector recommends endorsement, or puts forward for consideration to Council a report including all issues concerning the proposed location to be presented at the first available meeting of the Standing Committee of Council on Planning and the Environment (City of Vancouver, 2012g). The Council's decision is then forwarded by the City Clerk's Office to the Liquor Control and Licensing Branch. Typical processing time for most applications may average three months, but can vary considerably depending on the nature of the application (ibid). Applications which do not comply with Council policy or LCLB policy will delay processing and may not be brought to Council until the policy issues have been resolved (ibid). Once a Liquor Primary licence has been issued, the Licencee is responsible for the operations of the event and requires strict compliance to the Liquor Control and Licensing Act Terms and Conditions (see Appendix G for the rules and regulations as prescribed in the *Liquor Control and Licensing Act*).

For non-profit organizations planning to serve or sell liquor in a non-licensed establishment or public space, the LCLB regulates the approval of Special Occasion Licences (SOLs) for charitable¹² events that are not repeated occurrences, such as weddings, community festivals, and late night dance events. Approval from the Vancouver Police Department's Special Occasion Licensing Committee is also required for each scheduled event. Once event applications are reviewed, an organization may be required to attend a meeting with the Festival Expediting Staff Team (FEST) Committee to discuss the requirements and prospective impacts of the event on the city (Vancouver Police Department, n.d.). The FEST Committee includes representatives of the

¹² According to the B.C. *Liquor Control and Licensing Act* (1996), a 'charitable' event means that which operates for the relief of poverty, the advancement of education, the advancement of religion and other purposes beneficial to the community, including the advancement of culture and recreation, so long as the licence is not issued for the prime purpose of making a profit unless the purpose of the event is to raise funds for a genuine charitable cause.

Engineering Department (as chairperson), Police Department, Park Board, and Coast Mountain Bus Company. Staff from other civic departments and external agencies are also invited to FEST Committee meetings as required (such as the City of Vancouver Fire Department, Health Department, Social Planning, Risk and Emergency Management, etc.), particularly in those instances where jurisdictions overlap (ibid). A maximum of two SOLs per month can be approved for a particular venue. As a result, an SOL is generally seen as a temporary measure, and is not the ideal means of licensing a space for more frequent events and occurrences.

The following chapter provided an overview of some of the regulations relevant to the establishment and operation of cultural facilities in the City of Vancouver. Imperative for the purpose of this research is understanding the complexity of the current regulatory structure and the number and extent of approvals required to support some of the various projects and initiatives undertaken by artist-run centres and independent arts spaces located throughout the city, such as property use and maintenance, building and development projects, and special events and activities. It is also important to note that responsibilities related to policy development enforcement are fragmented between various municipal planning departments, including Cultural Services, Vancouver Fire and Rescue, Vancouver Police Department, etc. The result is a highly complex, sophisticated, and discretionary regulatory system that applies to all land uses and activities, some aspects of which are not addressed within the scope of this thesis (i.e., *Noise Control Bylaw*, *Heritage Bylaw*, *Parking Bylaw*, *Sign Bylaw*, etc.). To explore the extent to which regulations shape the context for the cultural economy and cultural facilities development in the City of Vancouver, the effects of these policies on the creation and operation of dedicated arts space and the ways in which artists and arts administrators navigate regulatory applications and approvals processing are examined in Chapter 6.

3 Literature Review

For the past quarter century, a sizeable body of scholarly research has explored the prospective socioeconomic impacts of culture and creativity on cities and regions (Bianchini et al., 1988; Landry, 2003, 2006; Landry and Bianchini, 1995). While some urban theorists have emphasized the importance of creativity and innovation to incite interurban competition in an era of global market integration (Bradford, 2004; Florida, 2002, 2005; Gertler, 2001), others maintain that the rising popularity of the creative city model has caused cultural planning to become inextricably intertwined with economic development objectives, as advocates employ cultural amenities as a means to attract entrepreneurs, skilled workers, and business investments to inner city industrial areas (Evans, 2009a, 2009b, 2010; Peck, 2005, 2007; Pratt, 1997, 2009), while perpetuating the conditions under which some artists, cultural workers, and existing residents are displaced (Catungal et al., 2009; Jarvis and Pratt, 2006; McCann, 2007). There are diverse and conflicting conceptions of the role the creative and cultural sectors play in cities, as well as the responsibilities of local governments in initiating or supporting their activities. The purpose of this chapter is to critically discuss these arguments and to assess how their implementation impacts cultural planning and cultural facilities development in cities.

This chapter comprises five sections. The first describes the context for post-industrial urban development as the mobility of human and financial capital has created the conditions under which cities strive to attract specialized businesses, talented workers, and visitors to their localities. The second section introduces the concept of the cultural economy, and discusses its influences on municipal policies and cultural planning initiatives that harness culture and amenity as means to enhance both the concrete and imagined ‘qualities of place’ that cities have to offer. The third section of this literature review discusses variations among these arguments, leading to a discussion of some of their limitations described in section four. In the fifth section the institutional context for municipal cultural planning is discussed, followed by an explanation of the ways in which this study is informed by, and contributes to, a complex and growing body of existing literature. This chapter does not provide a comprehensive review of the literature, particularly of the many case studies that describe the richness of cultural and creative city planning and its challenges in specific contexts. The focus instead is on articulating the common hypotheses driving cultural and creative city planning, and how their applications are theorized

to impact the artists and cultural workers whose activities are increasingly contingent upon, and integral to, the development of the cultural economy and the creative city.

3.1 Framing the Context: Creativity and Economic Development

Recent interest in creativity and cities is linked to the current prominence of new urban growth theories, including the creative city model. However, while discussions concerning creative cities are not explicitly referred to in the work of David Harvey, contemporary debates on the discussion can be traced back to theories of interurban competition in contemporary capitalism described in the *Condition of Postmodernity* (Harvey, 1989), as well as Harvey's larger thesis of an entrepreneurial city. In Harvey's (1989) theory of capitalist urbanization, the capitalist imperative of accumulation elevates creativity and innovative activity as means of maintaining a competitive advantage in the appropriation of surplus profits. At the most general level, *capitalism* is understood as a historically distinct mode of production based on continued revolution in production methods, technologies, organizational forms, and spatial arrangements of the economy (Krätke, 2011). Driven by the impulses of capitalist competition, innovative activity (that draws on creative work) contributes to an urban region's capitalist development by encouraging the research, development, and design activities that generate new technologies, products, and organizational forms. For individual capitalist firms, the command of superior technologies and production methods, the invention of new product and process innovations, and the introduction of new organizational forms (including spatial arrangements of production and distribution) offer various approaches to the realization of surplus profits (Krätke, 2011). In the context of a capitalist imperative, *creativity* is understood as "the ability to generate new knowledge or to convert existing knowledge into economically successful applications" (ibid, p.38). In such a calculus, creativity and innovation are closely interrelated or symbiotic, as the creative capacity of workers facilitates technological innovation as a significant source of competitive advantage and capital investment (Krätke, 2011).

In the context of globalisation, increasing interurban competition has augmented the pressures of innovation and change. According to Harvey (2000), financial deregulation, waves of profound technological change and product innovation, new media and communications systems, and the flows of capital, industry and labour have created a global economy that is increasingly decentralized, coordinated through the market, and driven by seeking different

investment opportunities. As a result, the accumulation of surplus capital no longer relies solely on technological innovation, but also on the rise of new lead economic sectors, such as the knowledge-intensive industries and creative industries that generate the products, processes and patents that are key to innovation-based competition (Krätke, 2011). Within this framework, creativity is mostly considered with reference to those forms of innovation created by private sector industries that “promise entrepreneurial and commercial success” (ibid, p.14) and can be harnessed to promote local economic development. The current phase of capitalist development – generally characterized by a comparatively weakened position of manufacturing industries¹³ – has correspondingly been accompanied by the rise of capitalist economies oriented around the innovations of new economic sectors, the development of diverse cultural and leisure facilities, and the upgrading of built environments particularly in former inner city industrial areas (Krätke, 2011). These models have become the basis of urban growth theories such as the ‘postindustrial city,’ (Bell, 1974) and the ‘creative city’ (Florida, 2002), wherein various new sources of creativity and innovation have developed and become the dominant sources of capital accumulation. These advanced local and regional economies might well achieve competitive advantages in the framework of interurban competition, but they have also influenced processes of urban development in the context of contemporary capitalism.

The effects of creative and innovative work on the spatial reorganization of the capitalist economy are influential aspects of David Harvey’s account of urban development. Employing a Marxian political economy approach, his work describes how economic change and the reallocation of capital investment into emerging new industries impact processes of urbanization and economic growth. Harvey (1978, p.124) states:

Capitalist development has [to] negotiate a knife-edge path between preserving the exchange values of past capital investments in the built environment and destroying the value of these investments in order to open up fresh room for accumulation. Under capitalism there is, then a perpetual struggle in which capital builds a physical landscape appropriate to its own condition at a particular moment in time, only to have to destroy it, usually in the course of a crisis, at a subsequent point in time. The temporal and

¹³ While it is true that in the lead city-regions, services have supplanted manufacturing as the most rapidly-growing sector of the economy, there is still a substantial presence of goods-producing and warehousing/distribution industries in many Asian metropolises, notably cities in China (Hutton, 2012).

geographical ebb and flow of investment in the built environment can be understood only in terms of such a process.

It is in this sense that Harvey sees the production and restructuring of geographical landscapes and spatial relations to be *active moments* within the dynamics of capital accumulation. Harvey coined the term ‘spatial fix’ by which he means that surpluses of both capital and labour can be successfully absorbed through geographical expansion or through the reworking of existing geographical configurations (Krätke, 2011). This dynamic is considered a spatial articulation of capital’s sustained search for “the command over and creation of favourable locations” (Harvey, 1989, p. 29). New spatial divisions of labour are thereby forged through the complex processes by which new rounds of accumulation interact with, and remake pre-existing geographies of, production and social relations. Correspondingly, government policies can actively support locational advantages through the upgrading of relevant infrastructures, economic promotion activities, and technology- and innovation-related programs (Krätke, 2011). In Harvey’s theory, interurban competition is one important determinant in the evolution of capitalism and is fundamental to its uneven geographical development. Harvey’s conception of the relationship between capitalist development and spatial structures describes the deterioration of old and the rise of new centres of innovation, as well as the constant reworking of places of production and markets as a result of changes in their relative locations. Similarly, Doreen Massey (1994) argues that spatial differentiation is increasingly important in the competitive search for profit as an interurban division of labour and hierarchical set of competitive relations between cities drive the competition for global control over the mobility of capital. The production of space has hence become one of the competitive dimensions of capitalist economies. This is evident in the spatial restructuring of post-industrial North American and European cities, as well as the metropolitan landscapes of lead Asian economies, once dominated by the ‘factory world’ of manufacturing and ancillary industries and labour (Hutton, 2012).

In the first half of the 20th century, resource processing and heavy manufacturing were the dominant employment-generating activities in many Canadian cities (Gertler, 2001). A reliance on local waterways and railways for transportation, and the use of pedestrian or streetcar travel for the journey to work, kept large-scale manufacturing industries centralized within compact and densely developed urban agglomerations (ibid). The economic geographies of urban development were correspondingly characterized by dense congeries of warehousing,

wholesaling, and distribution facilities, as well as office towers constructed wholly or in part to domicile resource corporations (Hutton, Bourne, Shearmur, and Simmons, 2011). A focus on the city's role as a manufacturing centre gave rise to the conceptualization of the 'industrial city' in a Fordist phase of capitalist development in which the hierarchical control relations and divisions of labour existing among manufacturing establishments were crucial determinants of urban economic development.

Over the past quarter century, many of the interdependencies linking urban development to resource processing and heavy manufacturing have weakened (Gertler, 2001). As the processes of globalisation have intensified, the industrial manufacturing sector has relocated to the peripheries of cities or overseas, creating an increasingly tenuous relationship between the city and its traditional economic functions (*ibid*). With the growing use of new information and communication technologies, many service activities have developed similar tendencies (Gertler, 2001). The result has been the consolidation of key manufacturing and corporate headquarters within major Canadian cities, coupled with the expansion of specialized intermediate service industries and related labour cohorts (Hutton, 2004) including finance, management consulting, and other business services (Hutton et al., 2011). By the 1980s, economic restructuring, coupled with a rise in unemployment and an increase in the number of people dependent on welfare, led to policies of privatisation, neoliberalism, and transformations to the structure of local government. In response to declining levels of services, infrastructure, and welfare provision, municipalities were encouraged to cultivate entrepreneurial activity and to work in partnership with the private sector to economically regenerate declining industrial areas (Hall and Hubbard, 1998; Peck, 2005). Correspondingly, many cities refocused their economic and spatial development strategies towards supporting the expansion of specialized service industries by extending the city's central business district, or converting abandoned industrial sites into new office complexes (Krätke, 2011). These processes are evident in cities like New York, London, and Berlin, as well as in smaller centres like Austin, Texas and Seattle, Washington where the cultural economy has become a strategic priority to enhance economic and social opportunity. The dominance of a few major sectors has hence been accompanied (or in some cases—notably Vancouver—supplanted) by the emergence of smaller and more diverse industries, enterprise types, and labour (Hutton et al., 2011). In some cities, the growth of the corporate office complex has also coincided with the emergence of a 'new middle class' (Ley, 1996) of managers and

professionals concentrated in major cities and metropolitan areas. Processes of industrial restructuring, the rise of a specialized service economy, and the new division of labour – which are theoretically encapsulated in the notion of an emerging ‘post-industrial city’ (Bell, 1974) – have hence become influential agents of economic restructuring and urban redevelopment.

As cities have become increasingly interconnected through the growth and expansion of networks and systems, the freedom and fluidity of market forces has created the conditions under which municipal governments have aggressively sought to recruit and solicit capital investment by positioning their cities as the most advantageous places for capital to relocate (Aguilar et al., 2005). Keil and Kipfer (2003) write of the ‘competitive city at work’ and the development of local policy prioritising the “making [of] cities as competitive locations for investment, tourists, and elite residents” (p. 352). However, the economic strength and competitive power of urban regions can stem from various sources, including different functional and sectoral structures as well as different development paths (Krätke, 2011). Particularly within the urban space, Krätke (2011) notes that there exists different “worlds of creativity” (p. 36) and local innovation systems that are related to specific subsectors of economic activity. The following section of this review identifies some these competitive assets and discusses their relations to new urban growth ideologies.

3.2 From Post-industrialism to the New Cultural Economy: Sources and Strategies for Promoting Creativity in Cities

Drawing from Harvey’s theory of capitalist competition and the forces shaping urbanization and economic development, a defining feature of capitalism in the post-industrial period is the importance of knowledge, creativity, and innovation to the creation of economic value and the determination of competitive success (Gertler, 2001). This is captured in a complex and growing body of literature attempting to theorize processes of urbanization and economic development. Some scholars address the concept of a technology-driven *new economy*, distinguished by not only the rise and fall of the dot.coms, but also the intensification of international production processes (Hutton, 2008). The idea of the *knowledge-based society*, with knowledge and learning as the driving forces of innovation and economic development (Thrift and Olds, 1996) has also been articulated, as has the popularity of the *creative economy*, encompassing a range of high-value creative sectors and industries, such as new media, software

design, computer graphics, film and video production (Pratt, 1997; Scott, 1997, 2008; Storper and Scott, 2006).

The focus of this research is on those branches of economic activity that are determined to a large extent by artistically creative work, referenced within scholarly literature as the *cultural economy*. The cultural economy as a whole incorporates diverse subsectors of cultural practice into a highly differentiated field of activity ranging from non-profit and public funded organizations (such as museums and galleries) and small informally organized community arts facilities and artist-run centres to commercial enterprise and cultural industries (such as entertainment and media industries, theatres and orchestras, music, film, television and radio production, the multimedia sector and design and advertising firms) (Krätke, 2011). While the characterization of the contemporary economy has been much disputed in the academic and policy literature, there is broad agreement that the shift from Fordist production processes has significantly transformed the characteristics of space, and the experiences of place and urbanity (Aguar et al., 2005). There are several distinct dimensions to this argument that can be identified. What is debated, however, is what strategies for promoting cultural production and creativity provide the greatest competitive advantages and how they can be sustained in the urban context. The rather nebulous – or “fuzzy” (Markusen, 2006) – definition of ‘creativity’ has itself resulted in corollary policy debates for nurturing and supporting its existence in cities. The following section explores variations in the conditions purported to provide cities with an advantage in the new economy, focussing on the cultural industries, the ‘creative class’ (Florida, 2002), and the presence of cultural amenities as they inform the norms and goals often articulated in contemporary cultural policy and planning practice.

3.2.1 Creative Industries and New Economy Clusters

As creativity becomes an important driver of urban economies, localised production networks comprised of creative industries have been identified as critical sources of productivity and profitability in the cultural economy. Encompassing design, digital media, and arts activities, including: music, visual arts, media and design, architecture, graphics film/tv, fashion, digital media printing and publishing, ICT, cultural tourism, crafts, advertising (Evans, 2009b), ‘creative industries’ are defined as “those industries that have their origin in individual creativity, skill and talent and which have the potential for wealth and job creation through the generation

and commercialization of intellectual property” (DCMS, 2001, p.5)¹⁴. With their origins in individual creativity, skill, and talent creative industries are argued to feed the knowledge economy with innovation by encouraging creative content development (Evans, 2009b), and integrating cultural commodities (such as music and visual arts) into globalizing processes of capitalist production and exchange, including tourism, advertising, and design services (Cunningham, 2002). Driven by the capitalist imperative of accumulation and the appropriation of surplus profits, the emergence of creative industry quarters and workspaces by public authorities – national, local, and regional – has correspondingly gained momentum as a means of attracting and retaining creative capital to maintain a competitive advantage in the accumulation of surplus profits.

Similar to the existence of ‘collective production’ which characterized Marshallian industrial districts, ‘creative economy clusters’ are defined as “localised networks of cultural production, distribution and dissemination where audio-visual, design, visual arts, or other producer service companies come together in inter-firm competition and collaboration” (Evans, 2009a). Versions of creative clusters include: Silicon Valley, California (electronics technologies); New York’s Garment district (fashion design, production and retailing); and London’s SoHo (film/media and music post-production) (ibid). The economic factors contributing to the concentration of specialized industries include cost-savings in the production chain; cross-trading; and joint ventures in marketing, R&D, and capital investment (Evans, 2009a). The localised exchange of knowledge facilitated by face-to-face interactions among a region’s economic actors is also considered an important asset enhancing the innovation capabilities of individual firms (Coe, 2000; Hutton, 2008, 2009b; Pratt, 2006, 2009). Specifically, the concentration of cultural industries, the presence of a skilled labour pool, and density of diverse actors and institutions stimulate innovations through localized collaboration, communication, and knowledge-exchange networks. Scott (2010, p. 117) explains:

The talent-based nature of production encourages [agglomeration] because so many producers in the cultural economy are constantly in search of new combinations of creative labour in attempts to capture market share through the effects of novelty and product differentiation.

¹⁴ This description of creative industries is only one of many however, and there is significant debate over how best to define and classify such industries (Scott, 2000).

In this regard, the spatial agglomeration of skilled workers and experimental activities provide an opportunity for unexpected insights, know-how, and innovation-inducing spillover effects to take place and produce innovative products or styles (Scott, 2010). Artistic work that is valued for its originality is especially critical in the creative process of product development and the creation and novel forms. Without these processes, Evans (2009a) argues that “clusters are little more than an arbitrary concentration of economic activity [with] little value added or comparative advantage to ensure a viable local production system” (p. 55). As a result, the expansion of creative industries and specialized labour within densely defined geographic areas has transformed the physical and economic structures of major cities and sub-regional areas (Hutton, 2004). In Canada, the three major metropolitan areas (Toronto, Montreal and Vancouver) possess not only a significant proportion of the nation’s population and employment, but also disproportionately high shares of cultural industries including film, video and television production, computer and other new media, music, architecture and advertising (Bourne et al., 2011). Similarly, the concentration of creative industries in Asian cities such as Tokyo, Seoul, Bangkok, Taipei, Beijing and Shanghai reflects in part the competitive advantages of globalizing cities which foster the development of key sectors and industries (Daniels, Ho and Hutton, 2012; Hutton and Pratt, 2012). As such, creativity and specialized production networks drive the economies of some of the world’s largest cities and major metropolitan areas.

3.2.2 Creative Workers and the ‘Creative Class’

In addition to production and product innovation, some scholars characterize the creative economy by the emergence of new configurations of labour and employment. The concept of the ‘creative class’, developed by Richard Florida and popularised in *The Rise of the Creative Class* (2002), builds on earlier entrepreneurial models of attracting human capital (Becker, 1964; Glaeser, 2005), but is geared towards developing a desirable living environment for highly-skilled individuals who, in turn, attract the firms dependent on their specialized skill sets (Catungal et al., 2009). Florida (2002, 2005) maintains that those who possess the greatest intellectual and creative potential are the members of the ‘creative class,’ a social group comprised of three different occupational categories: (1) the “supercreative core,” including scientists and engineers, economists, social scientists, architects, academics, and related occupations which produce new products and technological innovations; (2) the “bohemians”

who participate in production of original products and experiences, including writers, visual and performing artists, photographers, musicians, designers, media and entertainment workers, and; (3) the “creative professionals”, including those employees in corporate management and knowledge-intensive services who apply their professional and problem-solving skills in various contexts to support economic development, including finance, real estate, management, and consulting sectors (Florida, 2002, p.69). By lumping together many disparate labour and occupation categories within one social group, Florida (2005) asserts that “regional economic growth is driven by the location choices of creative people – the holders of creative capital” (p.223) whose presence stimulates economic development by helping regions, urban centres, and nations grow continuously with respect to creativity and innovation. The relationship between a creative workforce and regional economic success is captured in Florida’s emphasis on “technology, talent and tolerance” (Florida, 2005, p.37) as those cities and regions that have a high concentration of creative capital are argued to attract the mobile, high-technology sectors, as well as regional economic development and prosperity. The concentration of an artistic and creative workforce has hence been identified as a valuable asset to cities striving to maintain a competitive advantage within a knowledge-intensive economy.

Another influential perspective on the creative economy, prominently represented by the work of Allen Scott and Michael Storper (Scott, 2010; Storper and Scott, 2009), asserts the enduring saliency of agglomeration, labour markets, and embedded urban-regional cultural practices, constituting a counter-thesis to Florida’s idea of the primacy of the ‘three T’s’ (talent, technology and tolerance) in the synergy between creative labour and urban growth (Hutton and Pratt, 2012). Specifically, Scott (2010) argues that the rise of the contemporary economy has been accompanied by a significant increase in the number of workers endowed with high levels of human capital, including those with analytical thinking skills, capacities for judgement and decision-making, imaginativeness, and substantive knowledge and expertise (in technology, medicine, business, the arts, and so on) (ibid). This contrasts with the economy of mechanization and repetition which characterised Fordist production processes until the 1980s. Scott (2010) maintains that, in addition to their role as centres of production, some cities function as reservoirs for high levels human capital precisely because they provide ideal spaces for the

infrastructure and amenities¹⁵ that support the development of specialized industries. Hence, in the framework of a knowledge-based and innovation-oriented development path, regional economic success does not rest solely on the mere concentration of workers in technologically or artistically creative occupations. Rather, it depends on the development of a highly networked regional innovation system that integrates these occupations with other groups of skilled workers who drive contemporary cultural production and creativity in the new economy.

3.2.3 The ‘Creative City’ and the Cultural Economy

To attract and retain creative capital, municipal planning objectives have increasingly focused on transforming cities into distinctive products or ‘brands’ to be sold to a selective group of consumers in the global marketplace (Fainstein and Judd, 1999; Goodwin, 1993; Holcomb, 1993). The work of Florida (2002, 2005) has been particularly influential in the development of this idea, as he argues that members of the ‘creative class’ are attracted to cities with strong, vibrant neighbourhoods, whose character and street life are defined in artistically and culturally distinctive ways. Glaeser (2005) makes a similar claim, arguing that the pursuit of employment in the new economy hinges less on the qualities of a firm, and more on the ‘qualities of a place’. In particular, the presence of certain cultural amenities (such as museums, art galleries, theatres, shopping and entertainment facilities), heritage features, and industrial/commercial districts help brand the cities in which they are located as distinctive centres of culture, creativity, and foci for global attention (Hutton, 2008; Zukin, 1991). Florida’s conceptualization of ‘qualities of place’ emphasizes the development and promotion of certain sociocultural features that appeal to the ‘creative class’; mainly openness, tolerance and cultural diversity. To attract and retain the creative workers of the new economy hence involves providing the cultural amenities that are attractive to the skilled workers of the new economy.

While many scholars have discussed the impacts of sociocultural characteristics on urban regions (Jacobs, 1961; Landry and Bianchini, 1995; Landry, 2000), Florida’s (2002) model serves as the basis for the contemporary concept of ‘creative cities’ and contributes to an understanding of the relations between economic activity and the sociocultural environment. In many cities, the ‘creative city’ model has informed urban and regional policy decisions and

¹⁵ Such as schools, colleges, universities, transportation and communications networks, institutions and agencies.

influenced the restructuring of urban spaces to reflect the needs and living preferences of the 'creative class', defined by their occupational status within the neoliberal social order. Some inner city areas, such as Toronto's Distillery District, have transformed from prominent places of production into pedestrian-oriented arts, culture, and entertainment areas, drawing on artisan and industrial imageries to create the kinds of trendy boutiques, galleries and cafes, and artist studio spaces that are purported to help to market localities as hubs of diverse cultural activity. Others have attempted to transform their cities into desirable places to live and work through marketing and promotions campaigns designed to redefine the city in the global competition for 'talent' (e.g., CoolCities, Michigan). In response to Florida's claim that cities have to compete in the new 'race for talent,' municipal planning objectives have therefore evolved from developing places that simply provided businesses with the resources and space required for industrial activity into complex spaces that must be rendered attractive, advertised, and marketed in the same way as any other commodity so that they can be consumed. Here, we might recall Harvey's (1989, p.48 cited in Krätke, 2011, p.86) argument on the role of urban image construction and the related promotion of new amusement options and cultural facilities: "The city has to appear as innovative, exciting and creative in the realms of life-style, high culture, and fashion" in order to succeed in the competition for circulating revenues. In these ways, urban development is not simply the product of inter-firm relationships or the spatial aggregation of skilled workers, but is also inspired by the cultural and place-specific attributes of cities and neighbourhoods.

3.3 Artists and Cultural Spaces as Strategic Urban Assets

For the past quarter century, a sizable body of academic research has explored the prospective social and economic impacts of arts and culture on cities and regions (Bianchini, Fisher, Montgomery and Worpole, 1988; Hall, 1998; Landry, 2003, 2006; Scott, 1996). Peter Hall's (1998) influential book *Cities in Civilization* explores the role of cities as sites of cultural production and centres of innovation throughout history, focussing on artistic growth and technological progress as distinct expressions of civic innovation. In a more recent paper, Scott (2006) explains that while "cities have always played a privileged role as centres of culture and economic activity...the twenty-first century [is] marked [by] convergence between the spheres of culture and economic development" (p.323) as urban clusters of cultural production, consumption and entertainment comprise a growing share of regional economic activity. Charles

Landry (2006) attributes economic development to “a process of meaning making and identity-creation [which] embody symbolic value and trigger experience” (p.275) as globalisation and neo-liberal political restructuring have intensified interurban competition for capital investment. The result has been the emergence of the *cultural economy* (Storper and Scott, 2006); a concept that embodies both the cultural inflection of production and labour practices and the centrality of consumption and spectacle to urban economic development (Hutton et al., 2011).

Broadly defined, the *cultural economy* encompasses the products, services, and establishments that are determined to a large extent by artistically creative work and the production and communication of symbolic meanings and images (Krätke, 2011). Depending on the policy agenda, a definition of the cultural economy may cut across commercial¹⁶, non-profit¹⁷, and independent¹⁸ cultural sectors and include occupations involved in the creation and distribution of the arts, including museums, media (e.g., film and television, magazine and book publishing), design (e.g., architecture, graphic design), visual and performing arts (Markusen et al., 2008). Within discourses of urban growth and development in post-industrial societies, cultural activity is often framed within a larger creative economy that, in addition to arts and culture, may include science, engineering, high technology, and other sectors requiring a highly educated labor force (Hutton, 2009). As Markusen et al. (2008) points out, however, while this approach denotes a move away from a definition of culture as the fine arts or high culture, it collapses together very different types of activity and generally excludes or treats non-profit and independent arts organizations as peripheral since their activities do not rely on industrial production methods or produce commercial goods, but are generally subsidized in part by public and private sources. The following section of the literature review focuses on the importance of artists and cultural spaces as it is often articulated in cultural policy and creative city planning – that is, as catalysts for social and economic development by inspiring product differentiation,

¹⁶ The commercial cultural sector encompasses for-profit firms in industries whose product in large part consists of texts and symbols, including architecture, design, media, advertising, publishing, recording and movie, TV, and radio. It also encompasses art markets (galleries, art fairs), for-profit performing arts spaces (theaters, music clubs, restaurants), and artists who sell their work on commission (Markusen and Gadwa, 2009).

¹⁷ The nonprofit cultural sector encompasses mostly flagship organizations including museums, orchestra halls, opera houses, artists' centres, theatres, and community arts facilities. In contrast to the commercial cultural sector, cultural nonprofits have a huge stake in cultural planning, relying on public sector funding and facilities development (Markusen and Gadwa, 2009).

¹⁸ The informal arts sector is organized by actors operating outside of formal for-profit or non-profit status. Activity in this sector is often conferred amateur in contrast to fine arts and often dismissed in cultural policy and creative city discourses (Markusen and Gadwa, 2009).

meaning and identity creation, and as an important asset in the place-marketing campaigns of cities striving to attract the kinds of key industries and high human capital residents identified above. In studying art spaces, this paper draws from the concept of the cultural economy to address the role and potential of non-profit and independent cultural spaces in issues concerning development. In doing so, this definition engages in the debate over the presence of artists and arts facilities as catalysts for cultural production among creative industries, to attract the creative class (Florida, 2002), and the associated tendency of planners to approach the arts as an instrument to enhance competitive status and the character of cities and neighbourhoods.

3.3.1 Cultural production and the local labour market

In response to the emergence and growing importance of creative industries within post-industrial cities, some scholars contend that artists are endemic to economic growth by inspiring product differentiation and the creation of new ideas. Specifically, Scott (2000) characterizes cultural industries as those concerned with ‘image production’, including diverse branches of the entertainment and media industries, such as theatres and orchestras, music, film, television and radio production, the printing and publishing trades, multimedia sector, design and advertising firms. In such a calculus, the cultural economy includes the production systems and value chains necessary to sustain the commercial or capitalist sector as for-profit firms often employ artists or contract them for services. This understanding differs from the notion of creativity as a quality uniquely possessed by scientific and technological firms, and concentrates on the value of artistic innovation in terms of satisfying consumer demands. Based on these assertions, some public officials have worked to create an attractive business environment, placing strong emphasis on incubating new talent by providing workspaces and programmes to stimulate cultural production as it feeds design-intensive and innovation-driven sectors of the economy (Markusen and Johnson, 2006; Mommaas, 2004; Montgomery, 2007; Phillips, 2004). Flexible production in artisan villages in the Modena region of northern Italy played an important part in the area’s renaissance as small manufacturers began working in collaboration with artists, other bohemians, and small crafts producers to maintain a competitive advantage over other industries (e.g., furniture, textiles) (Evans, 2009a). Concentrations of artists and cultural activity correspondingly became part of a wider creative production chain comprised of cultural workers, creative industries, and the creative professional class. Contemporary examples in Canada include the

Cité Multimedia in Montreal's redeveloping industrial waterfront district, and the Liberty Hall complex in Toronto which became natural incubators for small enterprises initiated by artists and designers following the closure of former factories and industrial warehouses (ibid). Low-rent properties were adapted into studios and workshops, attracting new media industries tempted by the affordability, unique lifestyle, and creative energy of the areas (Evans, 2009a). Accordingly, just as inter-firm networks induce information spillovers and knowledge exchanges, interactions among artists and cultural workers of various disciplines is argued to create an attractive business environment for creative industries (Scott, 2010). In light of these developments, specialized cultural districts or clusters that combine cultural production with commercial enterprise development have been identified as catalysts for urban revitalization and economic growth. A broad range of cultural facilities, centralized with downtown neighbourhoods, have correspondingly become centerpieces of major urban redevelopment projects (Mommaas, 2004; Grodach and Loukaitou-Sideris, 2007).

3.3.2 Cultural Consumption and Cultural Tourism

In addition to pursuing cultural development strategies that privilege private sector investment opportunities, cultural tourism and consumption have been identified as important sources of export earnings in several cities (Borup, 2006; Clark, 2004; Florida, 2002; Markusen and Schrock, 2006; Stern and Seifert, 2010). To participate in creative and cultural activities, residents and visitors are encouraged to spend their discretionary incomes locally, and to cross boundaries between unique and diverse neighbourhoods (Markusen and Gadwa, 2010). Correspondingly, commercial arts facilities have emerged as important assets to reinforce the status and 'brand identity' of cities (Grodach and Loukaitou-Sideris, 2007) as politicians pursue a rhetoric of growth that supports safe, clean, predictable entertainment districts and 'trendy', upscale neighbourhoods (Clark, 2004; Zukin, 2010). Taking an entrepreneurial approach to cultural planning and cultural facilities development, Catungal et al. (2009, p.1098) state:

The focus in policy making is on particular forms of place-making that are geared towards the construction of spectacular spaces of consumption...Following the same logic as entrepreneurial initiatives, the city [is viewed] as a space of consumption and creativity, and have set out as their objective an interurban competitive strategy based on the marketing of their locales as distinctive destinations for work and play.

Correspondingly, designated cultural districts anchored by large performing arts and mega-event centres are widely viewed as neighbourhood anchors or amenities used to brand the cities in which they are located as attractive places for young, educated and creative entrepreneurs; visitors and tourists; as well as the highly-mobile, globally competitive firms theorized to stimulate growth in the post-industrial economy. Drawing on Florida's notion that certain urban environments stimulate creative activity, cultivating clusters of smaller-scale music and performing arts venues, art galleries, and nightclubs as opportunities for consumption, leisure, has also become a means to reinforce the cosmopolitan identity of the city – pointing to SoHo in New York and South of Market (SoMA) in San Francisco as models to emulate (Grodach and Loukaitou-Sideris, 2007). Sociologist John Hannigan argues that the more spectacular urban cultural spaces – a Disneyfied Times Square or hipster district of art galleries, performance spaces, and cafés – enhance the attractiveness and economic development potential of urban areas by “promising safe excitement for the middle class” (Zukin, 2010, p.4). Hence, cultural tourism strategies focus on the development of new spaces for the consumption of art among a favored class of people – a role that is reinforced by local governments that view the presence of arts facilities as an opportunity for place promotion and tourism generation rather than cultural production, incubation, or experimentation. In turn, the emphasis on interurban competition values experiential spaces for their ability to attract cultural communities, revitalize post-industrial inner city neighbourhoods, and improve the ‘quality of place’ that cities have to offer.

3.3.3 The ‘Informal’ Arts Sector and Creative Place-Making

At the same time as the commercial cultural sector has become a visible phenomenon in the development of the cultural economy, an emergent discourse in academic literature addresses the role of the ‘informal’ arts sector in contributing to the creation of a distinctive urban identity and experience. This is reflected in Richard Lloyd's (2002, 2005) anthropological analysis of Chicago's Wicker Park, Sharon Zukin's (1995, 2010) description of “loft living” in New York, and Andrew Harris' (2011) analysis of Hoxton, London, whereby the activities of artists and other bohemians endowed both areas with a distinctive brand of urban ‘cool’ that in turn, “made [them] increasingly attractive to designers, new media companies, and large galleries seeking to identify with and market the ‘shabby chic’ associated with the area[s]” (Harris, 2011, p.19). In other words, artists tend to imbue their living locations with an air of authenticity and creativity

that attract creative industries or the creative professional class, and spark processes of neighbourhood revitalization, economic redevelopment, and displacement as well (Borrap, 2006; Grams and Warr, 2003; Stern and Seifert, 2010). Similarly, some scholars (Currid, 2007; Florida, 2002) emphasize the importance of artists in creating the venues, performances, and cultural opportunities that are unique to their communities, contributing to the development and promotion of an ‘authentic’ urban experience for residents, businesses and tourists.

In practice, some scholars (Evans, 2009b; Markusen and Gadwa, 2010; Pratt, 2008; Stern and Seifert, 2007) draw upon these arguments to emphasize the importance of sustaining cultural production in the non-commercial arts sectors, rather than formulating policies and programmes that support cultural consumption among creative industries and knowledge-based workers. Concerned with the role of cultural assets in revitalizing cities and neighbourhoods, Stern and Seifert (2007) argue that “the goal of policy and planning should be to nurture grass-roots districts, remove impediments that prevent them from achieving their potential, and provide the resources they need to flourish” (p.5). Similarly, Markusen and Gadwa (2009, p.4) argue:

A culture-based revitalization effort must be appropriate to its local circumstances, not a ‘me, too’ replica of what other cities and towns are doing. The best of the projects nurture distinctive qualities and resources that already exist in the community and can be celebrated to serve community members while drawing in visitors and new businesses.

Correspondingly, creative placemaking strategies have been purposefully crafted by local governments seeking urban renewal. Emerging in the mid-2000s from the Mayor’s Office of Film and Music, Seattle’s City of Music initiative embraces commercial, non-profit, and community music-making as a way to animate the downtown core and create distinctive cultural nodes (Markusen and Gadwa, 2010). Similarly, in 2008 the City of San Jose Department of Cultural Affairs launched a citywide Creative Entrepreneur Project to link artists with the technology community in Silicon Valley. The programme has since played a pivotal role in animating San Jose’s redeveloped downtown with new artist-initiated festivals, music venues, and arts-fairs incubating smaller, culturally specific arts groups and fostering cross-sectoral collaborations among private corporations, arts organizations, and cultural entrepreneurs (ibid). In these ways, advocates of creative placemaking concentrate on celebrating, stabilizing, and nurturing the distinctive attributes of local areas with modest-scale investments rather than

replicating the large, high-profile flagship destinations purported to generate cultural tourism and consumption.

The emergence of the knowledge economy has therefore introduced a range of strategies purported to raise the economic and community impacts of artists and contemporary arts facilities in cities and regions. In contrast to the classical manufacturing sectors that defined the spatial economy of the Fordist period, a range of cultural production, leisure, and economic activities have been identified by scholars, researchers, policy-makers and planners as the means by which cities harness their existing attributes to maintain an advantage in a globalising and competitive economy. These arguments spark interesting considerations into the content and outcomes of cultural planning and policy implementation in various contexts. A critical assessment of the approaches to cultural and creative city planning is provided in the following section of this chapter.

3.4 Critiques of the Cultural Economy – Consequences for artists and arts facilities

While the notion of the creative city has ushered in new planning initiatives aimed at supporting arts and culture as a unilaterally positive development for cities and regions, a burgeoning critical literature on the cultural economy of the creative city deconstructs the various aspects of urban regeneration popularized by Richard Florida (2002, 2004, 2005) and evaluates how the creative city model materializes on the ground. Counter to some of the research suggests, this paper does not support claims that creativity can be induced by simply making cities attractive to individuals with high levels of educational attainment and creative capital. Rather, it is argued that without the proper planning strategies and tools in place, municipal planning may serve to undervalue or to negatively impact artists and non-profit arts institutions as critical sources of cultural production and creativity in cities. The following section of this review discusses the critiques of the creative city, the policy and planning strategies in place to carry out its implementation, and their prospective impacts on artists and arts administrators as subgroups of the creative class.

3.4.1 Arts and Culture as Commodities

In lieu of the literature discussed above, some researchers (Pratt, 2000, 2008; Peck, 2005; Scott, 1997) argued that the creative city strategies promoted by Richard Florida take the very

aspects of arts, culture, and amenity that contribute to the liveability and vitality of cities, and incorporate them into economic forces aimed at capitalist development. As a result, they maintain that the commercial and economistic ideas of *creativity* contain and curtail other forms of creativity in cities, such as collective forms of production, non-hierarchical ways of organizing cultural production and creative practices, and appreciations for the value of arts and culture outside of an economic imperative. Where scholarship on creative cities continues to assume an economic base for analysing urban growth, some researchers have emphasized the distinction between cultural and creative industry sectors. These include Charles Landry's (2006) interpretation of cultural development, and Evans (2009a, 2009b) analysis of creative industry clusters. These studies propose that the cultural economy underpins the growth prospects and performances of creative enterprises 'from below' (Amin, 1997 cited in Evans, 2009b), while remaining relatively underappreciated in creative city discourse. Sacco et al. (2009, p.7) explain:

It is the generation of original ideas, rather than their transformation into product formats, that is the crucial element of the competitive potential of creative industries. And because the former is scarce while the latter is not, we can therefore also conclude that the tiny (in value and employment terms) agglomeration of arts and crafts, which even fails to be monitored due to its corpuscular nature, acquires a crucial role in the generation of innovative ideas, especially in the cutting edge components of the visual and performing arts fields.

Understanding the interdependencies between arts, culture, and creativity must therefore extend beyond their use in revitalizing inner city areas and defining a distinctive sense of place to appreciating their roles in incubating the ideas, techniques, and talent that nurture continuous creativity and innovation. In policy and practice, however, culture is often considered a subset of creative industries and "valued insofar as they attract the scientists and other knowledge workers the city is recruiting" (Duxbury, 2004, p.1). Correspondingly, Pratt (2000, 2008) contends that literature concerning the 'creative city' and the 'creative class' have sidetracked important arguments regarding the role and potential of culture in cities by valorizing particular forms of placemaking geared towards the construction of spectacular spaces of consumption, or the development of creative industries such as film, new media, and music. From this perspective, policy initiatives reflect mainstream economic development initiatives rather than approaches specifically tailored to supporting cultural production among the non-profit or independent arts sectors (Evans, 2003; Kearns and Philo, 1993; Zukin, 1995). As Jamie Peck (2005) points out in

his biting critique of Florida, these initiatives illustrate the push towards marketing, consumption, and real estate development at the expense of encouraging genuine creativity.

Supplementing this research, some scholars are still trying to make sense of an increasingly diverse creative sector that crosses a variety of institutional boundaries (Stern and Seifert, 2007). This task is especially challenging given that the cultural sector is not comprised of mutually exclusive categories. Cities offer multiple opportunities for interaction and overlap between the non-profit, commercial, and community cultural sectors, complicating the process and outcomes of cultural and creative city planning. Furthermore, each sector is recognized to play a unique and important role in contributing to the liveability and vitality of the city. Markusen and Gadwa (2010) posit that while non-profit arts and cultural organizations offer visual, musical and design skills, the community arts sector contributes its entrepreneurial talents, motivation, and risk taking, while commercial cultural sector and creative industries possess local intelligence, financing, and business networks. Furthermore, although artists and cultural workers may act as creative place-makers, it is difficult to discern what a creative place is, and if and how planners and policy makers can act with intention to bring it into being (Markusen, 2006). These arguments spark interesting considerations about the scope and intent of cultural planning in cities, as well as the policies and planning tools required to support a range of cultural activity as essential sources of creativity and innovation.

3.4.2 Gentrification, Inequality, and Social Exclusion

At the local level, some critics of creativity-led urban regeneration have voiced their concerns over the processes of gentrification, inequality, and social exclusion which result from pursuing creativity-led development strategies (Ley, 2003; McCann, 2007; Peck, 2005, 2007; Rantisi, Leslie, and Christopherson, 2006; Sands and Reese, 2008). In the process of designing a new approach to urban regeneration and rebranding, Peck (2007) argues that political advocates of the creative city have pursued a strategy that is profoundly market-oriented and driven by middle-class consumption. Peck (2007, p.2) writes:

The creativity script subtly relegitimizes regressive social redistributions within the city: the designated overclass of creatives are held to have *earned* their superior position in the creative city, by virtue of raw talent and creative capital [while] the lumpen classes of

service and manual workers...must be content with...the benefit of downward-trickling positive externalities.

While Florida (2005) does include the caveat that “creativity in the world is not limited to members of the creative class [as] factory workers and even the lowest-end service workers always have been creative in certain ways” (p.10), there is no mistaking that the contributions of working and service classes to the urban economy are undervalued by the policies and planning initiatives that privilege particular identities and creative potentials. Correspondingly, Peck (2007) describes the use of creativity in urban planning as an ‘easy fix’ to the contradictions and inequalities characteristic of neoliberal political ideology, “making the case for modest and discretionary public spending on creative assets, while raising a favoured bundle of middle-class lifestyles...to the status of urban-development objective” (p.2). As a result, the socio-spatial fabric of many creative cities has often exemplified what Bradford (2008) describes as ‘the paradox of globalization’, stating (Bradford, 2008 cited in Noble, 2009, p.5):

[A] talented minority command huge premiums, while many others navigate an unstable urban labour market...Expensive housing and exclusive retail thrive. The affordable and practical disappear...Creative districts, innovation corridors and million-dollar neighbourhoods become increasingly sealed off from the rest of the city.

Reinvestment in de-industrialized areas consequently leads to a revalorization of real estate and to the subsequent displacement of lower-income residents. This wave of gentrification differs from previous processes of urban regeneration in that it is triggered by creative entrepreneurs and industries. A wider array of actors are also displaced, including not only working class residents, but also members of the creative class itself, such as artists, crafts-makers, and arts organizations (Ley, 2003). Zukin discusses the role of artists in the gentrification process in her book *Loft Living: Culture and Capital in Urban Change*. She notes that “the amenity that a concentrated arts presence offers to middle-class and upper-class arts consumers makes it possible to charge high prices for the housing that is eventually built nearby” (Zukin, 1982, p. 111). As a result, the creative types who are not simply a contingent element of the cultural economy, but are also integral to its overall functioning (Pratt, 2010), are displaced as land values increase. The effects of gentrification are well documented in the cases of SoMa in San Francisco (Jarvis and Pratt, 2006), Vancouver (Ley, 1996, 2003), as well as New York, London and Paris (Carpenter and Lees, 2009). Processes of uneven geographical development is also evident in Asian cities such

as Tokyo, Seoul, Beijing, Shanghai, Bangkok and Singapore, where the concentration of capital investment within primate cities and major metropolitan areas has begun to manifest in response to the economic and financial returns accruing from the leading constellations of contemporary cultural industries (Hutton and Pratt, 2012). This research, and evidence from area studies, raises important questions about how planning can proceed without creating the conditions under which artists, cultural workers, and low income populations are displaced.

Florida (2004, 2005) has begun to respond to some of these criticisms, acknowledging the trend towards social and economic polarization in creative cities, housing unaffordability, gentrification, income polarization, and political fragmentation. However, there is often little acknowledgement of these externalities in policy and planning (Catungal et al., 2009). According to Peck (2007) creative city advocates and policy officials tend to ignore or accept socioeconomic stratification, and/or continue to advance policies which reinforce or exacerbate it. This paper contributes to a critical assessment of the creative city by assessing artists' perceptions of the extent to which municipal regulations, as tools for cultural planning and cultural facilities development, impact the creation and operation of artist-run centres and independent arts spaces in Vancouver. As cultural spaces that have developed in conjunction with post-industrial restructuring and the emergence of cultural and creative city planning practices, such research may help to determine whether the policies and planning tools currently in place support a range of spaces for artistic production and amenity in the city.

3.4.3 The Creative Class: A homogeneous class?

Supplementing arguments about the uneven geographies of creative cities is an emerging body of work addressing the need to carefully unpack the concept of the 'creative class'. While Florida links the employees of seemingly disparate occupations together using their creative capacity as a common class feature, subsequent researchers have identified variations among them. In *The Creative Capital of Cities*, Stefan Krätke's (2011) deconstruction of Florida's creative class thesis includes discussion of the taxonomic issue concerning the so-called 'creative class' which in Florida's formulation comprises a 'simple admixture of different middle-class groups with varying levels of education' (Pratt and Hutton, 2012). Similarly, Markusen (2006) argues that the needs and urban living preferences of the creative class vary considerably by occupation. Artists, for example, are unlikely to share common cause with new media workers,

advertising executives, or other creative professionals. Noble (2009) makes a similar claim, arguing that within the creative class social group there are significant disparities between a group of ‘star’ performers – architects, musicians, or researchers – and those who may be unable to make a living by working full time on their creative pursuits. Neglecting variation in their living and working conditions may become problematic for municipal officials looking to use the arts to strengthen community identity and revitalize de-industrializing and disadvantaged neighbourhoods. If there is no cohesive group of creative professionals driving urban redevelopment, urban leaders must fine-tune their policies to meet diverse interests (Markusen, 2006). Understanding the contextually-specific needs and preferences of artists and cultural workers is hence an essential aspect of effective cultural and creative city planning practice.

In addition to these critiques, some researchers (Lewis and Donald, 2010; Markusen, 2006; Montgomery, 2005) question whether the ‘quality of place’ that appeals to members of the creative class includes more than simply enhancing the cultural distinctiveness and demographic diversity of the city. The work of Markusen (2006) has been particularly influential in identifying this limitation to the creative city hypothesis. Using the Minneapolis/St. Paul (Twin Cities) metropolitan area as a case study, Markusen (2006) argues that artists are not simply drawn to the presence of certain cultural amenities, but instead to the priority cities, states, and funders give to ensuring that studio spaces, affordable housing arrangements, and job opportunities are available. Under these circumstances, ‘quality of life’ is understood to encompass broader concerns such as high-quality jobs and supportive city services (Donald and Lewis, 2010). In turn, planning for the development of a more inclusive cityscape may feed a virtuous cycle in which creative people are inspired, compelling forms of art are produced, economic growth is generated, and urban redevelopment can take place (Noble, 2009). Drawing from these arguments, research explores the extent to which regulations shape the context for cultural infrastructure development in Vancouver, as well as the factors that motivate the operators of Vancouver’s artists-run centres and spaces to continue working in the city. Doing so could provide important insight into which facilities investments, programs, and policies should be devoted to achieving sustainability and equity goals in municipal cultural and creative city planning.

3.5 The Institutional Context: Cultural Planning for the Creative City

To support the talent, diversity, and creativity theorized to stimulate growth in the new cultural economy, the role of local governments in shaping a positive environment for arts and culture has become a subject of popular political discussion in both major metropolitan cities and subregional areas across North America. According to Markusen and Gadwa (2009), local government possess powerful tools for shaping the cultural economy in cities, including land use and redevelopment planning, ownership of substantial parcels of land and buildings for redevelopment, infrastructure provision, and financial resources such as dedicated taxes and various community and economic development funds. In this way, the practice of cultural planning has begun to enter the language of urban planners, local governments, and community organizations with a stake in arts and cultural resources (Mercer, 2006). This is a positive sign in so far as it indicates that cultural *resources*, broadly defined, are now being considered in planning and policy frameworks. Yet, despite an interest and momentum in cultural and creative city planning, cultural planners, who include policymakers and professionals engaged in the fostering of arts and cultural activity, often function with a lack of civic research capacity for understanding what strategies work best to support the arts and cultural sector (ibid). Furthermore, although artists may act as creative place-makers, it is difficult to discern what a creative place is, and if and how planners and policymakers can act with intention to bring it into being (Markusen, 2006). Although the cultural economy ‘buzz’ has opened up promising opportunities for cities, Markusen (2006) maintains that these can be squandered without strategic thinking and careful use of resources. Given the context for municipal planning described above, this section of the literature review describes the purpose, opportunities, and limitations associated with cultural planning by local governments.

As a facet of planning, cultural planning is a broad and complex practice. Narrowly described, it is an approach to policy and planning that defines the role of the public sector in providing cultural resources, amenities, and facilities to a community or regional area (Evans, 2000). In policy and practice, however, cultural planning is often supports the assumption that arts and culture provide important economic stimulus to cities and regions. In the United States, Markusen and Gadwa (2009) explain that cultural planning often expresses the desire to enhance the ‘symbolic economy’ of cities in ways that are purported to advance industry, generate jobs,

and increase public sector revenues. Correspondingly, a number of planning initiatives focus on enabling the revitalization of downtown areas – funnelling new investments into inner city cultural districts and city centre arts facilities; diversifying the economic base of deindustrializing cities and regions (Pratt, 1997); and attracting other firms and high human capital residents (Florida, 2002). In Canada, the meaning of cultural planning is often extended to include the arts, heritages, and local traditions of a place; the diversity and quality of leisure, cultural and entertainment facilities; as well as the crafts, manufacturing and service sectors including arts, recreation, media, tourism, etc. (Ghilardi, 2001). Moreover, the aims of cultural planning are not always tied to economic development objectives. Drawing from the definition employed by the government of British Columbia, cultural planning takes a culturally sensitive approach to urban and regional policy-making “help[ing] local governments to identify cultural resources and to think strategically about how these resources can help a community to achieve its civic goals” (Legacies Now, 2010, p. 1). As such, cultural planning is not regarded as the practice of ‘planning culture’, but rather as ‘a cultural approach to urban planning and policy’ (Bianchini and Ghilardi, 1997) that aims to support artists and arts organizations; facilitate communication and interorganizational cooperation among various cultural agencies, local government and the community; improve cultural facilities development and its contributions to community identity, place-making, pride, and; integrate cultural considerations into the larger community more effectively, increasing awareness of its ability to contribute to community and economic development (Legacies Now, 2010).

Despite the broad and altruistic aims of cultural planning, there exist some arguable limitations in its capacity to contribute to cultural development and community vitality. Drawing from the work of Baeker and Croteau (2002 cited in Pickersgill, 2006), criticisms include: (1) a focus on the city centre while leaving the periphery marginalized; (2) pooling resources into existing facilities and institutions rather than new creative activities or programs; and, (3) coordinating cultural strategies with tourism imperatives. Compounding these limitations, the External Advisory Committee on Cities and Committees (EACCC, 2006, p.xvii) articulates the dilemma of government intervention in the development of arts and culture as follows:

Our largest cities have gone from operating in the Canadian context to being players on an international stage. Our medium-size cities have in many cases started to carve out niches for themselves regionally, and to diversify their economies to meet the challenges

of the future...In all places, public infrastructure investment has slipped, responsibilities have been devolved from federal, provincial and territorial governments without adequate resources, and the consequences of policies in our cities and communities have been ignored.

With enormous changes in urbanization and within municipal government, culture has therefore remained peripheral to traditional planning practices. Markusen and Gadwa (2009) maintain that in most cities, cultural policy has little standing or interface with city planning departments and their management of land use and infrastructure. Moreover, the responsibility for cultural planning and cultural facilities development is often fragmented among major agencies such as cultural affairs, city planning, economic development, public works¹⁹ and public safety departments²⁰, who may not integrate cultural considerations into their city planning and management decisions. Artists' centres and live/work buildings, permits for art fairs and festivals, and urban development plans that include cultural space and facilities must be compatible with current land use and zoning ordinances, or receive variances for approval (Markusen, 2006). As such, cultural practitioners and planners work within the confines of regulatory, hierarchical planning and decision-making frameworks which may not have the capacity to integrate creative planning approaches into strategic decision-making or land use management (ibid). Because the goals and motivations of each constituency differ widely, there are often competing stakes in cultural planning (Markusen and Gadwa, 2009). Additionally, many of the regulatory tools that enable or hamper the creation of cultural spaces are run by people with city planning degrees – a training that may or may not include expertise in cultural policy or cultural affairs (ibid). Correspondingly, cultural planners provide important functions and often find themselves, as the creative thinkers within local government, in the front line working very closely with community stakeholders and various social, commercial, and business enterprises (Markusen and Gadwa, 2009). Some critics of cultural planning maintain that progress requires an advocate on top – a Mayor or City Council member who considers arts and culture as an important urban economic and community development domain (ibid). Complicating the stylized bureaucratic structure of cultural planning is; however, the changing character of City Councils and mayorships that may interpret arts and cultural policy differently

¹⁹ Public works departments may be responsible for cultural facilities (Markusen and Gadwa, 2009).

²⁰ Public safety departments are responsible for permitting for parades and other kinds of cultural events, as well as public space usage rules (Markusen and Gadwa, 2009).

than previous regimes (Markusen, 2006). Thus, while the ‘creative city’ vision provides impetus for significant gains for the cultural sector, institutional configurations at the local level may make it difficult to realize its prospective outcomes (ibid). Given recent discussions about the effectiveness of cultural policy and municipal regulations in creating a suitable environment for cultural facilities development, there is therefore an opportunity to critically assess their impacts on artist-run organizations, as unique forms of cultural space and amenity in Canadian cities, and to assess their effectiveness in enabling cultural planning and cultural facilities development at the local level.

3.6 Application of the Literature to the Research

Building upon previous academic and case study research, this thesis explores the extent to which regulations, as tools for cultural planning and cultural facilities development, impact the creation and continued operations of artist-run centres and independent arts spaces in Vancouver. This is important to discern as Evans (2009b) contends that because ‘grand theories’²¹ are often used to justify cultural policies, programmes, and investment opportunities, strategies to promote creativity-led regeneration often manifest in rapid (‘fast’ – Peck, 2005) urban policy emulation linked to competitive city strategies. To “avoid falling into a reductive trap of universality at the cost of understanding the particular” (Evans, 2009b, p.1006), there is a need to critically assess the influence of local policy and planning in shaping the context for cultural production and creativity in cities (Evans, 2009b; Markusen, 2006). Although previous research has examined the availability and affordability of artists’ studio and live/work spaces in Vancouver (Poon, 2010) and other North American cities (Johnson, Schultz, Yang and Dang, 2007), few studies address the ways in which regulations impact the creation and continued operations of the non-profit and independent artist-run facilities dedicated to innovative cultural production, exhibition, and live performance practices. Drawing from the literature discussed above, this research may generate important insight into how municipal policy and planning shape the context for cultural economy in cities, as well as how municipal planning processes could better support artists and the non-profit cultural sector as critical sources of creativity in Vancouver.

²¹ Such as ‘creative city’ arguments (Florida, 2002, 2005); symbolic and cultural theory (‘habitus of location’ – Lee, 1997), and the study of urban processes such as regeneration in its particular physical form – waterfronts, cultural flagships and mega-events (Evans, 2009b).

Additionally, this paper explores the strategies artists' employ to navigate the regulatory structure and systems of municipal planning that guide cultural infrastructure development in order to create and sustain their operations in a context of post-industrial urban redevelopment and policy implementation. Doing so may help to highlight the extent to which municipal structures and systems of decision-making support diverse arts and cultural practices in the city. This research may also contribute to theoretical discussions pertaining to the creative city by exploring whether current cultural planning practices have exclusionary effects on artists, cultural workers, and cultural facilities development. Finally, this research seeks to identify the factors which motivate the operators of Vancouver's artist-run centres to continue their cultural practices in the city. While Florida's logic suggests that metropolitan growth is a function of providing certain amenities, the concept of 'amenities' is multi-dimensional and increasingly recognized to vary by individual preferences (Markusen, 2006). In turn, this research may contribute to academic discussions regarding the conditions required to support and sustain arts activity in the 'creative city'. The findings may also have practical significance. If artists are key to attracting skilled workers and feeding creative enterprises, understanding the conditions required to support their artistic practices can have long-term effects on the economic, social, and cultural development of Vancouver.

As Markusen and Gadwa (2010) suggest, cultural planners and civic leaders must consider the answers to some of the questions identified in this proposal. Without this knowledge, many municipalities operate on the assumption that large-scale facilities and investments focussed on specific districts can boost creative activity, while neglecting to develop policy and planning frameworks that adequately support artists, small- and mid-sized arts organizations, and diverse cultural communities (ibid). As a result, cultural planning initiatives may reinforce institutional divides and social exclusions (Markusen and Gadwa, 2009). The aim of this research is hence to identify the policy conditions required to support diversity in forms of creativity and cultural expression in ways that will contribute to academic knowledge and practical planning processes in the City of Vancouver.

4 The Vancouver Context

Regularly described as one of the world's most liveable cities, Vancouver is a fast-growing, young, and dynamic city set in an exceptional natural environment. The purpose of this chapter is to describe processes of growth and change in Vancouver as they relate to the trends described in Chapter 3, observed in sequences of industrial restructuring, the rise of a 'new middle class' (Ley, 1996), and the social upgrading of residential neighbourhoods. This chapter is based on the assertion that an assessment of how municipal regulations impact the creation and operation of artist-run centres and spaces in Vancouver necessitates contextualization by means of analyzing the policies and processes influencing urban development in the metropolitan core.

To illustrate how arts, culture, and creativity have become part and parcel of post-industrial urban redevelopment, the following aspects of Vancouver's development trajectory are addressed in the first section of this chapter: (1) the secular decline in resource processing and the dramatic expansion of service sector employment; (2) international immigration, the rise of the 'new middle class,' and increased foreign direct investment in Vancouver's property market; (3) the occurrence of 'hallmark events', such as the 1986 International World Exposition (Expo '86) and the 2010 Olympic Winter Games, and; (4) the growing ascendancy of creative industries in the revitalization of downtown neighbourhoods. Next, the second section of this chapter traces the evolution of artist-run centres in Vancouver, describing the purpose for their creation and the ways in which their operations are evolving in response to changing economic, social, and political conditions. The third section of this chapter focuses on how urban and economic redevelopment has shaped the socio-spatial characteristics of Vancouver's inner city neighbourhoods and impacted artists, cultural workers, and the not-for-profit and independent arts sectors as critical sources of talent in the region. Included are discussions of the influence of government and policy in creating the conditions under which cultural spaces have developed and operate in the City of Vancouver. The final section identifies high-level land use and cultural planning policies before turning to how regulations have been utilized to help realize strategic planning objectives.

4.1 Framing the Context: Historical Narrative of the Vancouver Economy

In the early postwar period, the profitability of British Columbia's vast staples economy constituted a central narrative of Vancouver's urban and economic development trajectories (Hutton, 1997). Similar to the processes linking urban development to heavy manufacturing in other large- and medium-size metropolitan cities, the spatial economy of the central city accommodated financial and administrative functions in downtown office development; resource processing, related manufacturing and heavy industry²²; warehouse, transportation, and distribution services; as well as older, residential neighbourhoods characterised by low-rise housing structures²³ (Hutton, 2004). From the 1950s the provincial government, led by premiers from Kelowna and backed by powerful ministers representing other interior constituencies, invested heavily in infrastructure designed to support the 'opening up' of resource processing in the B.C. hinterland (Barnes et al., 2011). As late as 1967, industrial lands were protected from pressures for change by City Councils who extended security of tenure for obsolescent and high-externality industries (Hutton, 2004). In the second half of the twentieth century, however, Vancouver's development became increasingly decoupled from the resource sector which once dominated its economic expansion (Hutton, 1997). A secular decline in processing capacity and labour initiated the loss of sawmills, fish packing plants, and other resource-based industries in the 1970s. In the 1980s, the intensification of globalisation and a series of corporate mergers and acquisitions caused corporate head offices and locally-based multinationals to relocate from downtown Vancouver to higher-order international business centres for the concentration of 'command and control' functions global cities have to offer (Barnes et al., 2011).

To maintain a competitive advantage in a globalising and increasingly decentralized economy, Vancouver's resource sector has been rapidly replaced by specialized economic functions, leisure spaces, and clusters of cultural consumption and creative industries. These changes are reflected in statistics illustrating the structure of labour and employment in the city. Between 1971 and 1991, the largest percentage growth in employment occurred in the community, business and personal service sectors of the economy (13 per cent), while the largest decline occurred in manufacturing (-7.7 per cent) (Barnes et al., 2011, p.6). At the same time,

²² Situated along the shores of False Creek and the Central Waterfront (Hutton, 2004)

²³ As seen in the two- and three-story wooden single-family housing structures in Kitsilano, Fairview, the Downtown Eastside and the West End (Hutton, 2004)

Vancouver has remained the site of government offices, public utilities and crown corporations, but lost the apex functions of corporate control boasted by other Canadian cities, notably Toronto (the locus of many financial and industrial corporations), Calgary (EnCana), and Seattle²⁴ (ibid). Instead, the long-running attrition of the city's corporate head office sector provided opportunities for the re-colonization of space by entrepreneurial small and medium-sized enterprises, resulting in the creation of localized production networks comprised of scientific, technological, and creative industries including video game producers, computer graphics, and other new media companies (Murray and Hutton, 2010). In this context, a large number of flexible businesses provide unique and customized services that are subject to higher rates of turnover (Hutton, 2008). Following the growth trajectory of other major Canadian cities, Vancouver has therefore transitioned into a post-industrial and post-corporate stage of development, with specialized service production providing a base for resiliency in the new cultural economy (Hutton, 2009c).

4.1.1 Creative Industries and the Creative Class – Assets of Urban Redevelopment

While the City of Vancouver maintains its position as a nodal point of the provincial staples and resource economy (Hutton, 2009c), the creative sector has become an increasingly prominent part of urban and regional development. Average annual increases in provincial employment from 2001 to 2005 reveal that advertising, architecture, engineering and design services, publishing, performing arts, spectator sport and related industries are growing at a considerable pace (Figure 4.1). This is correlated with the growth of knowledge-based workers employed in specialized high-order service sector occupations, particularly in scientific, technological, professional and creative industries (Barnes et al., 2011). Creative industries are also among the largest income generators in British Columbia and provide important content and services that enhance Vancouver's economic competitiveness. Most visible among these industries are motion picture, video production, and digital media clustered within a new space-economy constructed in the obsolescent staples built environment of the inner city, notably greater Yaletown, Gastown, South of Granville Island, and Mount Pleasant (Murray and Hutton,

²⁴ Seattle based-multinationals include Weyerhaeuser (the world's largest integrated forestry company); Boeing (a globally-leading aerospace corporation), Microsoft (the world's largest computer software corporation; Starbucks (the largest retail coffee company in the world); and, Amazon (a global leader in online marketing and sales). (Barnes et al., 2011)

2010). New media firms now number over six hundred in these areas and generate over \$2 billion in revenues (Vancouver Economic Development Corporation, 2010), while Vancouver's film production sector, now the fourth largest in North America, generates another \$1.3 billion (British Columbia Film, 2009). Correspondingly, the resource sector has become just one of multiple platforms driving the reconfiguration of the urban economic system (Hutton, 2009c). In terms of value-added to the provincial economy, the amount of real GDP generated by software publishing industries increased by 30.5 per cent between 1997 and 2001 (compared to 24.7 per cent for the rest of Canada) (Sacco et al., 2007, p.11). Motion picture and video production, distribution and post-production increased by 9.1 per cent in the same time period, and revenue generated by amusement and recreation industries improved by 7.3 per cent (ibid, p.12). The primary of creative industries has therefore begun to manifest in British Columbia, making Vancouver a principal hub of global cultural production.

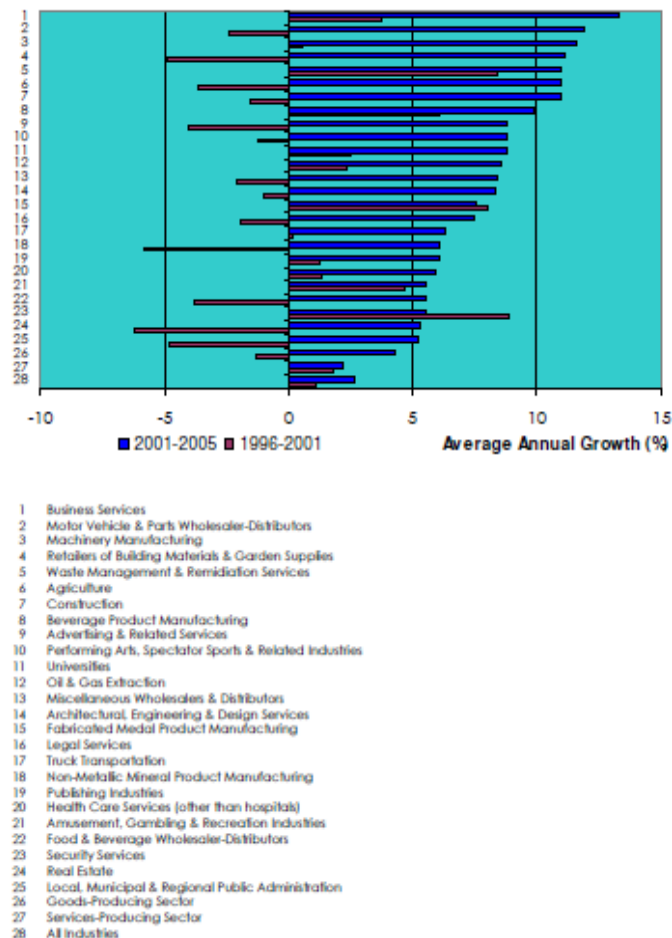


Figure 4.1: B.C. Employment Growth, Top 25 Industries 1996-2005. Source: Sacco et al. (2007)

Some industries have grown from a collection of independent activities into businesses which contribute significantly to the provincial economy. Film and animation provide examples of this development path. Both industries have progressed through several evolutions in technology and economic structure – moving from small-scale, craft-based ventures with low barriers to entry to multi-faceted global corporations that generate significant capital investment and engage in complex business ventures such as talent recruitment, facility development, and branding for global markets (Kassian, 2010). They also maintain important connections to their craft-based roots as a source of inspiration and creative content. For example, film and television production is one of Vancouver's longer-standing and best-known creative industries. Along with the Vancouver Film Studios and the Lion's Gate Studios, the industry draws creative inspiration from local performing arts and theatre events that incubate innovative filmmaking techniques and acting talent from across the production spectrum, such as the Crazy 8's Film Festival²⁵ and the Vancouver International Film Festival (Kassian, 2010). Together, these events and partnerships have nurtured the emergence of a strong community of media artists (Artscape, 2008). In a context where industries are constantly being challenged to bring new ideas, models, and designs to maintain a competitive advantage in a global marketplace, the arts and culture sector has therefore become an important contributor to Vancouver's cultural economy; inspiring product differentiation by providing a pipeline of original ideas that have contributed to the city's growing reputation as a generator of originality and creative content.

In addition to accommodating localised production networks of creative industries and knowledge-based business professionals, Vancouver has become a magnet for talent in Canada, home to the highest concentration of artists in the local labour force (2.35 per cent) than in any other Canadian city, including Toronto (1.60 per cent) and Montreal (1.53 per cent) (Hill, 2009). The city is also the centre of higher learning in the province as the location of two large universities (The University of British Columbia and Simon Fraser University) and many globally-renowned arts institutions, such as Emily Carr University and the Vancouver Film School. Over the years, Vancouver has become the host of numerous cultural festivals²⁶ and

²⁵ The Crazy 8's film festival is an annual event which connects artists to film and television producers. Studios and suppliers provide emerging filmmakers with access to facilities and equipment to produce professional-quality shorts in only 8 days. The festival has been the testing ground and springboard for many Vancouver filmmakers and craftspeople, providing opportunities for new talent to build connections with global industry (Kassian, 2010).

²⁶ Vancouver is a festival city, second only to Quebec in attracting three million citizens (Murray and Hutton, 2010).

events including the PuSh Festival, Vancouver International Film Festival, Vancouver International Jazz Festival, and Vancouver Fringe Festival. Cultural facilities found throughout the city's many neighbourhoods also reflect the diversity of Vancouver's vibrant arts community. From Gallery Gachet and Artspeak in the Downtown Eastside, to Grace Gallery and Little Mountain Studios on Main Street, there is a rich typology of cultural spaces for artistic production, presentation, and live performance in neighbourhoods throughout the city. These include: artist studios, live/work spaces, exhibition galleries, interdisciplinary cultural spaces, and commercial/entertainment venues such as The Orpheum Theatre, The Chan Centre for the Performing Arts, and the Scotiabank Dance Centre, which stand as vital components of Vancouver's cultural landscape. Granville Island also houses a number of performance spaces, including the Waterfront Theatre, New Revue Stage, Performance Works, and the Arts Club Theatre. When considered under Richard Florida's 'creative city' rubric, it would seem that Vancouver possesses the quintessential elements of talent, diversity, and amenity theorized to stimulate growth in the new cultural economy.

The growing ascendancy of the cultural and creative sectors in Vancouver has produced distinctive landscapes of specialized production reflected in changes to the urban built environment. As Barnes et al. (2011) describe, the metropolitan core²⁷ encompasses a diverse array of specialized industries and labour including creative industries, cultural institutions, and a mix of older, quasi-industrial enterprises, such as supply and service firms and a few heavy industry operations. Manifestations of new cultural economy are exemplified by rapid changes in Vancouver's cultural districts such as Yaletown, a high-integrity heritage district situated between the Downtown South and the Concord Pacific. Over the past twenty years, land uses in Yaletown have transitioned from light industrial to commercial and residential uses, attracting leading-edge creative firms including: software designers, computer graphics and imaging firms, Internet development firms, architects, and interior designers. In 2006, 26 per cent of jobs in the area were in computer system design, architecture and engineering, and advertising, and another 8 per cent in motion picture and video industries, information services, and software publishing

²⁷ The metropolitan core as defined here includes the Central Business District (CBD), the CBD fringe and the older industrial and residential districts of the inner city, including Yaletown and Gastown heritage areas, the Burrard Slopes, and the Mount Pleasant industrial areas (Hutton, 2010). The term 'Central Area' as used by the City of Vancouver Planning Department conforms to this definition of the metropolitan core, with some variations in its spatial geographies (Hutton, 2004).

(Barnes and Hutton, 2009, p. 1250). The area also comprises upscale housing and consumption amenities projecting a consumerist lifestyle to attract the ‘creative class’ in what has been described as “the epicentre of the city’s new economy” (Barnes et al., 2011, p.16). Victory Square and Gastown have also emerged as key sites of cultural consumption in Vancouver. Occupying the western margins of Vancouver’s Downtown Eastside, Gastown’s spatial economy has evolved from housing warehouses and wholesaling activities to film production and postproduction industries, typified by the location of the Vancouver Film School on West Hastings Street (Barnes et al., 2011). Similarly, Victory Square exemplifies the exceptional diversity and complexity of the ‘new inner city,’ incorporating a dense cluster of artists, design firms, and architects into a unique cultural quarter personified by the Woodward²⁸ building marking a decisive shift in the industrial renovation and social upgrading taking place within Vancouver’s developing downtown core (ibid). As Barnes et al. (2011) describe, the combination of an adaptable built environment, an evolving property market, and a skilled workforce has contributed to a measure of place-specific specialization as a defining feature of Vancouver’s post-industrial economic landscape. These examples demonstrate the continuing vitality of Vancouver’s metropolitan core as a zone of cultural innovation, creativity, and specialized production.

4.1.2 Urban Re-structuring and Municipal Policy Responses

As a resurgence of growth in clusters of creative industries and institutions accompanied a major external reorientation of Vancouver’s economy, a new context for urban land use planning emerged in the second half of the 1980s. Arguably the signature strategic policy initiative of the postwar economic era in Vancouver is the *Central Area Plan* (City of Vancouver, 1991). Approved in 1991 in response to processes of industrial restructuring and accelerating globalization, Vancouver’s *Central Area Plan* reallocated land resources through comprehensive rezoning to transform a high-externality, obsolescent industrial landscape into “a combination of residential, recreational, and ‘clean’ industrial uses” (Hutton, 2004, p.1958) in areas including Kitsilano, Fairview, Mount Pleasant, the Downtown Eastside, as well as the

²⁸ Woodward is a \$330 million development designed by local architect Gregory Henriques with 536 high end condos; 200 social housing units built to LEED standard; a public cultural amenity housing a new media start-up called W2, which served as the alternative media hub during the Olympics; the Office of Cultural Affairs; and Simon Fraser’s University’s School for the Contemporary Arts (Murray and Hutton, 2010).

downtown peninsula (Figure 4.2). Priority issues for the new plan included: “creating a variety of mixed use and high-density residential areas, conserve[ing] the heritage character of Gastown, Chinatown, Victory Square, Yaletown, and Granville Street, and diversify[ing] the townscape, economy and society of the central area” (Punter, 2003, p.241). The creation of a vibrant cultural environment was also one of the major tenets of the *Central Area Plan*, reflecting the City’s

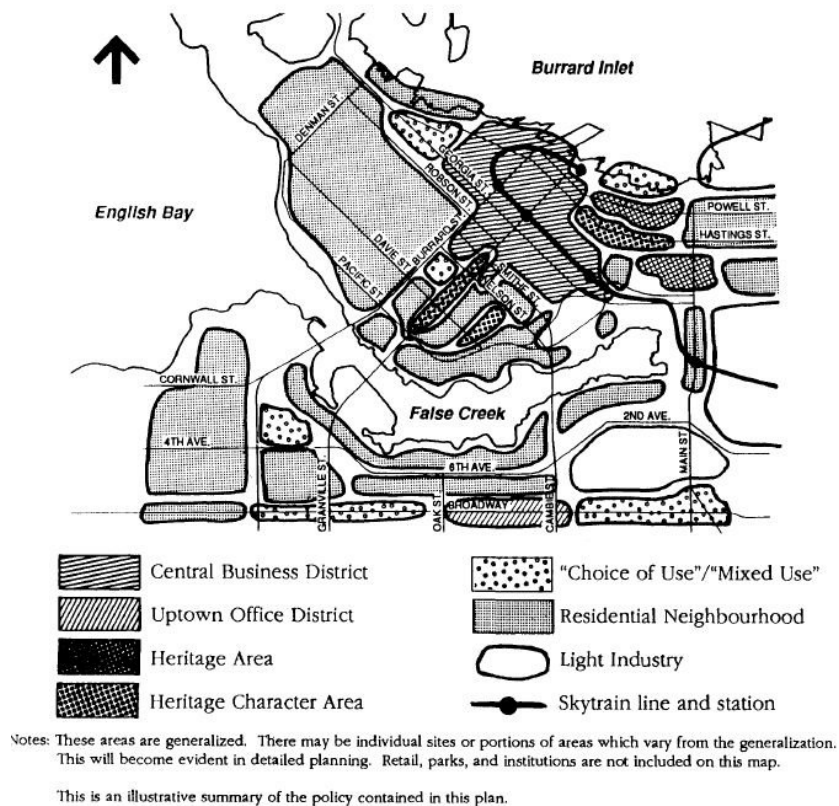


Figure 4.2: Central Area Defined. Source: City of Vancouver (1991)

desire to develop an ‘alive’ downtown area that could support a mix of living, working, and recreational uses (Pickersgill, 2006). Accordingly, Hutton (2004) explains how the post-industrial vision guiding the City’s political position initiated a process of ‘hyper-specialization’ (ibid, p.1960) within which the decline of traditional resource processing and allied manufacturing was succeeded by the expansion of higher-order service industries. This has contributed to the provision of new employment opportunities for elite service workers in the inner city, as the newly consolidated CBD offered the potential of almost double the business and professional office floorspace available in 1991 (Hutton, 2004).

Additionally, a decisive shift in patterns of investment by municipal governments since the 1980s have accelerated Vancouver's post-industrial redevelopment by initiating major land use changes that promoted higher-density living and commensurate consumption, specialty retail, and tourist amenities (Hutton, 2004). In practice, this progressive phase of Vancouver's redevelopment accommodated the city's service elite by attracting entrepreneurs, creative service workers, and knowledge industry specialists to a variety of housing, recreational, and leisure amenities (ibid). From this standpoint, cultural facilities helped to attract professionals, project identity to wider markets, provide both creative and economic opportunities, and encourage consumption of place (Chatterton and Hollands, 2003; Scott, 1997; Landry, 2000). Correspondingly, although Vancouver has lost ground as a corporate control centre, the metropolitan core still encompasses by far the largest array of specialized production industries and labour within Metropolitan Vancouver (including about 220,000 workers), as well as upscale consumption industries, higher education, and elements characteristic of the economic landscape of the new cultural economy (Barnes et al., 2011, p. 16). This tradition of land-use planning innovation also reaches beyond municipal government. The redevelopment by the federal government of Granville Island, regarded internationally as a model for the regeneration of inner city industrial land, was initiated in 1972 with the explicit aim of creating, fostering, and nurturing a unique oasis in the heart of the city (Artscape, 2008).

The Vancouver experience of land use change in the urban core underscores the application of post-industrialism as a political ideology, policy preference, and socioeconomic process characteristic of the new cultural economy (Barnes et al., 2011). In a well-known article in the *Annals of the Association of American Geographers* in 1980 David Ley observed that the reformist TEAM (The Electors Action Movement) City Council of the early 1970s rezoned False Creek South from heavy industry to medium-density, mixed income housing, signifying "the most dramatic metaphor of liberal ideology, of the land use implications of the transition from industrial to post-industrial society, from an ethic of growth and the production of goods to an ethic of amenity and the consumption of services" (Ley, 1980, p.252). A more recent article in *Urban Studies* acknowledges the recurrent role of planning innovation and public policy in the reconfiguration of Vancouver's metropolitan core from the classic features of the post-industrial city to a reordered terrain of new residential communities, creative industries, and high-amenity public realm as described above (Hutton, 2004). Thus, here we see a critical intersection of the

city's post-staples and post-corporate development trajectories with policies that have encouraged the emergence of a new economy of creative enterprises, labour, and amenity engaged in the reconfiguration of urban neighbourhoods (Murray and Hutton, 2010). While the creation and implementation of post-industrial urban policy and planning initiatives have created economic opportunities for developers, property specialists, and other professionals, Hutton (2004) maintains that little consideration has been given the possibility of an industrial renewal following the (eventual) closure of the resource processing enterprises and residual heavy industries. Hence, while culture is recognized generically in urban land use plans, there is a risk that policy-accelerated industrial restructuring may have helped to exacerbate the conditions which led to the displacement of affordable work, studio, and performance spaces for artists in central city areas. The consequences of these policies and processes are described in the third section of this chapter.

4.1.3 Immigration, Foreign Direct Investment and the Vancouver Economy

Similar to decisive shifts in the structure and focus of government in other North American cities, economic development in Vancouver occurred during a time of transition in urban policy in the 1980s, from social liberalism toward neoliberalism, with all levels of government engaged in selling the city as an attractive place for global investment²⁹ (Barnes et al., 2011). Correspondingly, one of the most influential drivers of growth and change in Vancouver since the 1980s has been international immigration, notably from Hong Kong and other regions of the Asia-Pacific. In 2006, the census identified 40 percent of the CMA population as foreign born: 440,000, over a fifth of the entire population, had arrived in the previous 15 years (Barnes et al., 2011, p.11). From 1991 to 2006, 80 percent of immigrants to Greater Vancouver originated in Asia. Almost 70 percent of the more than 90,000 business immigrants who entered Vancouver from 1980-2001 were from Hong Kong or Taiwan (Ley, 2003 cited in Barnes et al., 2011, p.12). As a result, the influx of human capital, skilled migrants, and business entrepreneurs has provided Vancouver with the means to attract new economy industries and workers. Immigrants now fill over half of new jobs created in the metropolitan labour market (ibid), reconfiguring the socio-ethnic profile of urban communities (Hutton, 2009c) and redefining Vancouver's cultural identity (or identities) in less than a generation.

²⁹ Policies included Canada's Business Immigration Programme (Barnes et al., 2011).

Reflecting Scott's (2010) characterization of new configurations of labour and employment in the new economy, industrial restructuring and increased international immigration have correlated with the growth of knowledge workers and 'new middle class' (Ley, 1996) residents in Vancouver. As a component of economic restructuring and urban expansion, the city has experienced rapid growth in employment and population since the 1980s and 1990s. The labour force grew by 35 percent between the 1981 and 2001 censuses, exceeding growth in the rest of the country by 12 percent (Barnes et al., 2011, p. 7). Accordingly, the proportion of the local labour force specializing in high-order service sector occupations, particularly in arts, culture, recreation and sports, has increased while occupations in processing, machining, product fabricating and assembly as well as construction, transport and material handling and related employment have decreased in relative size and importance (ibid). Over thirty percent of Vancouver's labour force possessed some university education in 2006 (Barnes et al., 2006). Hence, accompanying the growing ascendancy of creative and information-based industries within (former) obsolescent inner city industrial areas (Murray and Hutton, 2010), Vancouver's urban economy, class structure, and residential morphology have been shaped by inflows of international immigrants and the emergence of a highly-educated professional class of elite service sector workers in the central city.

To cater to the tastes and preferences of a rapidly-growing residential population, the *Central Area Plan* laid the groundwork for a downtown area that was to be shaped by a 'living first' growth strategy: emphasizing the development of residential neighbourhoods for a variety of people and supporting the creation of liveable environments defined by speciality character and heritage areas, lively retail streets, waterfront walkways, and welcoming public places for residents, workers, visitors, and tourists (City of Vancouver, 1995). The City's influence in the physical transformation of the central area included the development of new high-rise residential communities in Vancouver's West End, immediately west of the CBD. During the 1970s and 80s, Council rezoned much of the West End from low- to medium- density (six-storey) residential to an RM-4 Multiple Dwelling District Schedule (high density) to accommodate an influx of new residents (Hutton, 2004). Similar policies have recently been issued in Vancouver's traditionally more affordable neighbourhoods, such as Mount Pleasant, where the development of the Olympic Village as a flagship infrastructure project, recent applications for

higher-density rezoning³⁰, and changes in residential morphology of development signal the application of similar policy rationales into areas traditionally occupied by artists and other low-income residents.

In the 1990s, increasing emphasis was also placed on the quality of urban design and on the emergence of a high-amenity urban core (Murray and Hutton, 2010). As John Punter lays out in *The Vancouver Achievement* (2003), the City of Vancouver has pursued a planning design ethos that features an innovative postmodern approach to megaproject planning and a system of cost and amenity levies on major private-sector development schemes which have contributed over eighteen cultural facilities and other important social spaces to Vancouver's development profile (Murray and Hutton, 2010). The distinctive civic design culture in Vancouver, dubbed as *Vancouverism*, has also acted as a city-marketing ploy, or a 'policy fix' as Peck (2007) argues, appealing to international tourists and visitors and underscoring the centrality of amenity to the Vancouver economy (Murray and Hutton, 2010).

Among the externalities of growth and change described above are the impacts of international immigration on increases to foreign direct investment (FDI) in British Columbia since the 1980s. Of the 150,000 people of Chinese origin who migrated to Greater Vancouver from 1986-1996, many were fabulously wealthy (Barnes et al., 2011). The liquid assets of business immigrants landing in Vancouver between 1988 and 1997 is an estimated \$35-40 billion (Ley, 2010). The arrival of this extraordinary wealth over a short period had inevitable consequences for Vancouver's property market. Prices soared with net immigration, and by 1991 Vancouver had vaulted ahead of Toronto to record the most expensive housing in Canada, a status that has been held to the present (Barnes et al., 2011). As property sales boomed there have also been significant purchases of high-end consumer products and leisure experiences (ibid). In the late 1980s, Japanese investment in the tourism industry favoured the Vancouver-Whistler region, resulting in the purchase of hotels, golf courses, and tourist resorts (Barnes et

³⁰ Continual processes of growth and change in Mount Pleasant are marked by a recent proposal to rezone a full block at East Broadway and Kingsway from C-3A (Commercial District) to CD-1 (Comprehensive Development District) to permit a mixed-use commercial and residential redevelopment project planned by the City of Vancouver and Rize Alliance (Kingsway) Properties Ltd. The current (and highly contested) proposal requests an increase in density and height beyond what is permitted under the current C-3A zoning to accommodate residential growth in the neighbourhood and initiate the development of an 'iconic' landmark structure on a historic site (City of Vancouver, 2012i). In January 2012 two major changes were announced: scrapping a proposed 9,200 square feet of artist-studio spaces for a cash contribution to fund an off-site cultural or civic facility, and the removal of 15 market rental STIR units to provide affordable housing (Witt and Antrim, 2012).

al., 2011). Correspondingly, cultural tourism has become a significant source of capital investment for British Columbia, generating \$5.5 billion in revenues in 2006, and becoming a strategic focus of provincial policies for urban redevelopment (ibid).

While processes of immigration and investment have created economic opportunities for developers, property specialists, and other professionals, the revitalization of the inner city is also driving processes of urban transformation and land use changes that have helped to exacerbate the conditions under which artists and arts facilities are displaced. Gentrification has already begun to unfold in many traditionally ‘bohemian’ and low-rent neighbourhoods along South Main Street, Victory Square, and the Downtown Eastside (Hutton, 2009; Ley, 2003; Macdonald and Chai, 2009; Sacco et al., 2007) as the arrival of new capital, immigrants, and labour have contributed to an increase in property prices and reduced the availability of affordable work, studio, and performance spaces for local start-ups and low-income creatives. In Mount Pleasant, a historically low-income community of artists and other working class residents, an influx of young professionals and higher-income residents is marking a progressive shift towards newer forms of high-density residential living in the neighbourhood as municipal officials harness the aesthetic disposition and cultural imaginaries of the neighbourhood to accelerate processes of post-industrial urban transformation. As a result, Vancouver’s real estate market and cost of living present significant challenges to the cultural community in Vancouver, pushing artists and arts facilities further into marginal areas of the city, or out of Vancouver altogether.

4.1.4 Creative Placemaking – The Image-Building Narrative of Vancouver

As Vancouver’s speculative focus turns from resource extraction to abstract, symbolic economies contingent on the forces of globalisation, mega-events and large-scale cultural infrastructure projects have helped to position the city in an international spotlight. Since the political economy of staples development was exposed to a particularly severe downturn in the early 1980s, a succession of governments led by Vancouver-based premiers (including two former mayors of the City of Vancouver) directed a significant quanta of capital into the Vancouver regional economy, foremost into the development of large performing arts, mega-event centres, and international place-marketing campaigns, contributing to the development of urban infrastructure (Barnes et al., 2011). The International World Exposition (Expo ’86) stimulated new development opportunities including a new waterfront convention centre; the

establishment of a rapid transit system; and expanded tourist facilities, including Canada Place and the Plaza of Nations (Murray and Hutton, 2010; O'Brian, 2007). As Hutton (2009c) explains, the reconstruction of the obsolescent post-industrial landscape of North False Creek also helped to shape Vancouver's identity as a city of spectacle and consumption. Recently, preparations for the 2010 Vancouver Winter Olympic Games have coincided with an image-building narrative that echoes the Expo '86 era: another convention centre; expansion of the rapid transit system; development of Southeast False Creek into the Olympic Athletes' Village to be sold as market housing; condominium developments in Yaletown, Gastown, and Victory Square, and; the construction and upgrading of new recreational facilities (O'Brian, 2007). The consequences of this most recent wave of speculation remain to be seen, but it appears that international place-marketing campaigns, urban development initiatives, and the corresponding influx of capital investments are indeed redefining Vancouver and its identity.

In this climate of expansion, the Vancouver art community and its institutions have grown, diversified, and developed an international presence. The Vancouver Art Gallery (VAG) is currently looking at expanding, considering a new, purpose-built flagship facility to appeal to a global arts community (O'Brian, 2007). The VAG is also popularizing art in the city, mixing the visual arts scene with marketing, design, music, and performance events in what appears to be successful cultural branding for mainstream audiences (ibid). Similarly, Granville Island represents one of the first cultural precincts in Vancouver, featuring a mix of industrial and residential land uses, 53 art galleries and performance spaces, and the Emily Carr University of Art and Design (Murray and Hutton, 2010). At present, Granville Island attracts more than 10 million visitors annually, making it among the most popular cultural destinations in Canada (ibid, p. 3). Additional vehicles for the presentation of Vancouver art include international museum exhibitions, biennials, and arts fairs. The Eastside Cultural Crawl is a three day visual arts festival, engaging 350 artists in over fifty buildings opening their doors to showcase the dense network of artist studios and collaborative ventures found in warehouses throughout Strathcona and the Clark Drive corridor (Kassian, 2010). Within a period of growing international reputation, Vancouver's artists and arts institutions have hence become part of a local brand for the purposes of commerce and the marketing of place (O'Brian, 2007).

As a result, local arts endeavours are becoming increasingly tied to Vancouver's economic development objectives. With an abundance of amenities catering to the new middle class as well as visiting tourists, Vancouver—particularly the inner city—has become a space of cultural consumption. Over 1,800 performances and events in parks and community centres, 540 live performing arts productions and more than 600 exhibitions in museums and galleries attract 3 million people in every year to the city (Artscape, 2007, p. 16). When patterns of investment are considered, British Columbians outspend all levels of government on cultural goods and services (Murray, 2009). On a per capita basis, cultural spending in B.C. is the second highest in Canada at \$886, well above the national average of \$821 (ibid, p.374). These statistics illustrate the value attributed to arts and culture in B.C. Indeed, as Vancouver moves from a resource- to a service-based economy, artists and cultural facilities have become important sources of cultural spectacle and creative activity, contributing to local economic and community development.

4.2 Cultural Amenities – The History of Artist-Run Centres in Vancouver

While the development of large visual arts institutions and galleries has helped to brand Vancouver as a cultural and creative city destination, the city has also accommodated the growth of small- and mid-sized cultural facilities, including artist-run centres. Originally conceived of as informal, alternative spaces to dominant structures of artistic presentation in museums and commercial art galleries, artist-run centres emerged in Vancouver and many other Canadian cities in the 1970s (Wallace, 1991) – a time of political liberalism, self-determination, and the surfacing of new forms of artistry. Characterized as flexible spaces created, curated, and operated by artists devoted to producing new and experimental art forms, the centres offered opportunities for creative expression among artistic producers of all disciplines. An 'open-door' policy allowed artists to interact; share equipment and workspace; receive encouragement, mentoring, and critical feedback; and, produce public exhibitions, readings, and performances at various stages of their artistic career and development (Markusen and Johnson, 2006). In this respect, artist-run centres became incubators and springboards for many young poets, musicians, dancers, and visual artists interested in interdisciplinary practices and working outside of the commercial art market. In fact, artist-run centres became career entry points for many well-known Vancouver artists including Roy Arden, Stan Douglas, and Geoffrey Farmer – giving them their first or early exhibitions in a public forum (Shier, 2007). Further, the multiplicity of functional uses in artist-

run centres contributed to their uniqueness as shared spaces where artists could produce, exhibit, and share their work. Beginning as a grassroots organization in 1973, the Western Front, for example, provided open community access to promote experimental collaborations among artists, musicians, poets and performers by investing in shared equipment and workspace and establishing a residency program that offered stable facilities for visiting artists while they produce newly commissioned work at the gallery (Collins, n.d.a.). Breaking from traditions of the past, the members embraced performance and media-based activities to create Canada's first artist-run centre. Interactions among artists have since spawned a variety of projects that have contributed to the Western Front's international reputation as a pioneer of interdisciplinary and experimental art practices thriving outside of the commercial art market (ibid). In these ways, the energy and integrity of artist-run culture is argued to have made important contributions to the creation of a unique cultural ecology in Vancouver.

Before such centres came to fruition, artists operated within quite different circumstances. As Keith Wallace (1991) describes, non-commercial, non-traditional art was rarely produced, let alone exhibited, and art conceived for the gallery setting, whether commercial or institutional, was seldom considered independent from a capitalist economy of cultural production and exchange. The New Design Gallery, opening in 1955, stood alone as a commercial gallery representing modern art, and though such art had difficulty gaining wide acceptance, it was not considered a suitable venue for alternative art practices in Vancouver (ibid). Fundamental to the founders of most artist-run centres was hence a desire to provide friends and colleagues with a public forum to exhibit their work, and to create critical resistance to a culture of commercial art practice in which the practices of younger, less established artists were improperly contextualized, ignored or devalued (Shier, 2007). As Wallace (1991, p.37-38 cited in Shier, 2007, p. 193) states in his essay in *Vancouver Anthology: The institutional politics of art*:

Resisting the bureaucracy of all institutions, including that of ANNPAC (Association of National Non-Profit Artist-Run Centres) seems to have represented not the idea, but the ideal, of alternative galleries throughout Vancouver in the 1980s. A sense of social responsibility, mixed with romantic notions of their own marginality, gave them an aura of authenticity. The ideal is rarely achievable, but maintaining an oppositional stance fuels the critical distance necessary to test the assumed social order.

Most centres that opened in the early 1980s did so to serve a specific constituency that was perceived to be lacking representation (Wallace, 1991). More often than not, these constituencies were comprised of amateur and emerging artists, university or art-college graduates who appeared on the scene with no apparent forum for their work (ibid). The Or Gallery (1983—) initially evolved from the Vancouver School of Art, (now the Emily Carr College of Art and Design), while Artspeak (1986—), with its focus on the cross-over between art and text, began as a branch of the Kootenay School of Writing (ibid). Other early artist-run centres, such as the grunt gallery (1984—) and Clochard Gallery (1987—), were not aligned with any specific institution, but grew out of a community-based and grassroots social milieu (Wallace, 1991). Today, the grunt gallery is guided by an unofficial mandate to showcase alternative artworks that have not been fully embraced by existing galleries or other artist-run centres (Collins, n.d.b.). Correspondingly, artist-run centres continue tap into a diverse arts community, becoming a forum for emerging and established artists and arts administrators pursuing their creative practices external to the commercial market and a symbolic economy of capitalist production and exchange.

Canadian artist-run centres were, and in most cases still are, like other public galleries, dependent upon federal and/or provincial funding for the majority of their operating budget (Wallace, n.d.). Within the Canadian art community, the Canada Council for the Arts, provincial, and civic cultural departments were instrumental in establishing funding programs for such galleries in the 1970s (ibid). This support has continued with artist-run centres such as the Or Gallery, Artspeak, and the grunt gallery obtaining a significant proportion of their programming and operating budgets from the Canada Council. For many years, relatively stable funding and financial support provided security of tenure to dedicated, non-profit artist-run centres – providing them with the opportunity to create and sustain the operations of dedicated cultural spaces without the pressure of having to sell artwork as a source of revenue. As Wallace (2011) describes, the 1970s and 1980s was a time when few Vancouver artists who were exhibiting in artist-run centres seriously considered a move into the private marketplace due to the creative compromises that it potentially would entail. Influenced by the approach that art should function as a philosophical or political practice, rather than a commercial or careerist one, some artists preferred to be associated with galleries that represented a resistance to commercialism, such as Video Inn, the Western Front, (N)on Commercial, Or Gallery, Artspeak, and grunt gallery

(Wallace, n.d.). For these reasons, artist-run centres held a special place vis-à-vis the larger gallery system. According to Wallace (1991), their flexible programming and spontaneity, in line with their non-profit status, allowed them to take the creative risks that larger, market-driven galleries may not be able to afford. As a result, artist-run centres became powerful generators of artistic work, engaging in the development of new and experimental art forms, and acting as hotbeds of culture, creativity, and innovation in cities such as Vancouver.

In Vancouver, the property market has contributed to the agglomeration of artist-run centres in traditionally more affordable downtown neighbourhoods such as the Downtown Eastside, Grandview/Woodlands, and Mount Pleasant – contributing to their continuing attractiveness as viable places for artists to live, work, and congregate (Figure 4.3). Due to the associated pressures of globalisation, urbanisation, and declining public sector support however, the

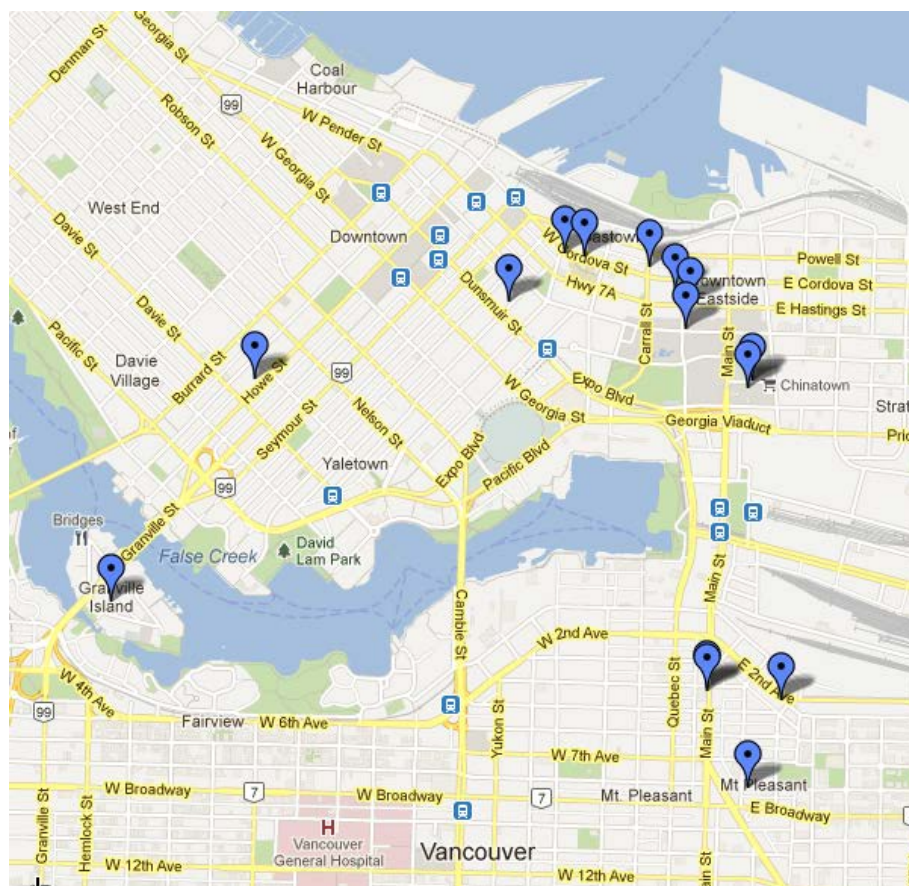


Figure 4.3: The Geography of Registered Non-Profit, Artist-Run Centres in Vancouver

Function and nature of these centres have evolved over the past forty years. In 1991, Keith Wallace wrote a text for *Vancouver Anthology: The Institutional Politics of Art* that considered the history of artist-run culture in Vancouver. He identified that artist-run centres – seeking stability and visibility – were struggling to operate outside of the bureaucratic systems that initially distinguished their programming and operations from other kinds of cultural spaces.

4.3 Cultural Amenities: The Evolution of Artist-Run Culture in Vancouver

Since Wallace's (1991) publication, the conditions affecting artist-run centres have changed. As described above, the City of Vancouver has progressed towards planning practices that have successfully attracted middle-class residents and commercial cultural industries generating higher revenues and paying substantial rents, such as advertising, television, film, and design firms. As a result, areas historically occupied by cultural organizations have become the new horizons for redevelopment and gentrification, potentially displacing the artists and cultural workers that have help to define neighbourhood character and identity. The evolution of artist-run centres has therefore coincided with post-industrial urban redevelopment and manifestations of the new cultural economy in Vancouver. Contextualized in this environment, *Vancouver Art & Economies*, published in 2007, built upon *Vancouver Anthology* in its analysis of Vancouver's artist-run centres. In it, the contributions of Reid Shier (2007) and Michael Turner (2007) consider the evolution of artist-run culture in the city – suggesting that the practices that once distinguished artist-run centres from commercial galleries are becoming increasingly ambiguous while professional curatorial practices, formerly the specialized domain of museums and public galleries, have become increasingly entrenched in the management and administrative structures of Vancouver's artist-run organizations. Alternative, non-capitalist creative practices, such as those produced and exhibited by artist-run centres, have consequently evolved to sustain their operations in a context of creativity-led urban regeneration. The following section of this paper discusses how nature of artist-run centres and spaces have evolved, and taken on various forms to adapt to changing conditions.

First, Shier (2007) and Turner (2007) note that the art community that artist-run centres helped to create – one which operated independently of the established, commercial art system – has evolved to reflect more consumption- and consumer-driven practices. This has been the case in Vancouver's downtown core, where an influx of capital, investment, residents, and

international attention has reconfigured the context in which some cultural spaces struggle to sustain their operations. In 1996, the Contemporary Art Gallery (CAG) transitioned from an artist-run centre to a public gallery and gained a national presence after relocating to the ground floor of a new Yaletown condominium development as part of the City of Vancouver Amenity Bonus Program in 2001 (O'Brian, 2007). Today, the gallery receives a high level of corporate sponsorship and has produced exhibitions conceived by an advertising firm³¹ (ibid). Newer non-profit, artist-initiated projects, such as The Cheaper Show, have also partnered with corporate sponsors³² and private real-estate developers³³ to continue to expand their programming – redefining forms of collaboration and collectivity in artist-run culture. Indicative of a growing pattern towards commercialization, entrepreneurialism, and internationalization, O'Brian (2007) maintains that these trends signal a shift in the mandate of artist-run culture, which has traditionally been underscored by a “vein of resistance to the corporate ethos” (p.19).

At the same time, the artist-run centres that have chosen to avoid commercialization have retained their self-determination, but have also had to meet their financial needs by having artists pay for exhibition space, rent studios, or sell alcohol at openings and events. For example, the Western Front continues to be a predominantly publically-funded artist-run space; however, in order to sustain their operations amidst residential upgrading in Mount Pleasant, the organization rents studio space to artists at affordable rates. Today, the centre produces over one hundred events per year, including: concerts, dance classes and performances, poetry readings, film projections, video screenings, and special events such as dinners and evening receptions – attracting diverse audiences of youth, artists, and young professionals. These activities add to the Western Front's rich history as a vital space of contemporary cultural production, exhibition, and experience in Vancouver, while diversifying their revenue sources and means of financial stability.

Another subject that Shier (2007) and Turner (2007) address is the shift towards professionalization in management within artist-run centres. As a self-conscious community of artistic spaces in the 1970s, the initial purpose of artist-run centres was to place artists in

³¹ Re-Think Advertising has worked with the CAG to organize *Buttons*, as well as *Day Tripper* (a program of videos by Vancouver artist Brady Cranfield presented as a drive-through video window (O'Brian, 2007).

³² Corporate and community sponsors for the Cheaper Show in 2011 included: Absolut Vodka, John Fluevog shoes, Grolsch, Red Bull, Hemlock, William F. White International Inc., Whole Foods Market, and VanCity.

³³ Such as Rize Alliance Real Estate Developments.

administrative control over determining the selection, presentation, and dissemination of their artwork (Wallace, 1991). The desire to collapse social hierarchies and bourgeois affiliations, encourage communal endeavours, increase artists' abilities to pursue their own interests, and foster the exchange of ideas and information lay the making of a new avant-garde approach to management and decision-making that involved no formal organizational or administrative structure (ibid). Over time, however, Shier (2007) describes how Vancouver's artist-run centres have cultivated a tradition of in-house professional curators who are responsible for directing the organizations, choosing their exhibitions, and developing their programming. This is the current administrative structure at Artspeak, the Helen Pitt Gallery, and the Or Gallery, where a number of artists have gone on to pursue professional curatorial careers in other, often larger, public institutions. In this vein, it has been argued that Vancouver's many artist-run centres have become mini-institutions with permanent staff and career curators (O'Brian, 2007) – a response, in part, to the demands of federal funding agencies and the need to compete for financial resources in resource-limited alternative arts scene.

In response to an implosion of public funding in the 1990s, and in 2008 with province-wide gaming grant cuts, many young artists have banded together to develop their own venues for the production and exhibition of art. In Vancouver, alternative forms of artistic production, presentation, and exhibition have emerged in private galleries run by professional artists or curators (CSA Space, Dadabase); in home or office galleries (The Bodgers' and Kludgers' Co-operative Art Parlour, Trylowsky Gallery); in storefront studios (Gallery Atsui, 221A Artist-Run Centre); and in projects where, perhaps not taking the traditional artist-run centre format of a gallery, the host 'space' is ephemeral or transient (Balcone, Visible Art Activity, the Miss Guides) (Wallace, n.d.). Correspondingly, artist-run centres can no longer claim to be the only independent representatives of artist-initiated facilities. In fact, it has been suggested that artist-run centres have inspired the creation of new artist-run facilities, operating under a similar philosophy to artist-run culture, but also carving out their own unique spaces of non-institutionalized and non-commercial arts activity in the city. These strategies spark interesting considerations about the future of artist-run culture in Vancouver and the capacity for planning and policy to support the programming and operations of cultural spaces dedicated to a range of cultural production practices in the 'creative city'.

Over the past quarter century, Vancouver has therefore become a vibrant cultural and creative city destination. In social and economic terms, and also in the remaking of the region's land use and built environment, the city has transitioned from a nodal point of the provincial staples and resource economy, encompassing specialized management, production, and transportation functions, to that of a 'transnational metropolis' shaped by international immigration, foreign direct investment, and networks of global connectivity (Hutton, 2009c). While global and market forces have comprehensively reshaped the form, spatial economy, and employment structure of Vancouver, municipal policy and planning initiatives have also been influential agents of urban transformation as local land use plans have influenced the conditions in which cultural facilities have developed and continue to operate. The description presented above indicates the success Vancouver has enjoyed in becoming an economy of 'diverse specializations' (Hutton, 2004) as flows of capital and culture, increased housing and property markets, and a secular decline in the resource sector have indeed redirected urban restructuring and economic redevelopment towards intermediate services, higher education, new media enterprises, and other creative industries. Furthermore, the city's arts and cultural community continues to make important contributions to Vancouver's post-industrial redevelopment by influencing creative industry production, place-marketing campaigns, and the liveability of local areas. Correspondingly, the central city has been recast as a defining zone of culture, creativity, and innovation. This naturally raises the question of whether this success will continue into the second decade of the new millennium (Hutton, 2010), and how artists and artist-run organizations will experience the changes and challenges associated with living and working in Vancouver. This thesis maintains that in an evolving urban context, evaluating the experiences of local artists, cultural workers, and not-for-profit arts agencies can provide valuable insight into the city's capacity to continue to attract, retain, and support critical sources of cultural capital.

4.4 Overview of Key Issues for Arts and Culture in Vancouver

As Vancouver continues to develop and diversify as a cultural and creative city destination, urban redevelopment has been accompanied by changing economic, social, and political conditions. Shifting policy priorities, socio-spatial fragmentation, and a retraction of social support services have created an especially challenging environment for the individual artists and arts agencies that occupy the metropolitan area. Reflecting theoretical critiques of the

‘creative city’ hypothesis and its prospective impacts on artists as a subgroup of the ‘creative class’, the following section of this chapter highlights some of the ways in which progressive redevelopment in Vancouver’s central area³⁴ has created the need for municipal planning and policies that will support the creation and continued operations of cultural facilities dedicated to the production, exhibition, and experience of art.

4.4.1 Lack of Financial Support

While the creative industries thrive in downtown Vancouver, some smaller-scale facilities and non-profit arts organizations lack the resources required to sustain their activities. One of the primary issues shared across the creative continuum is a lack of private and public sector funding (Business Council of British Columbia, 2010). As Vancouver continues to grow and attract creative firms, global industries, such as motion picture, video production, and digital media, are supported by a provincial tax credit system, including the Film Incentive Tax Credit and the B.C. Production Service Tax Credit (Murray and Hutton, 2010). Organizations such as New Media B.C. have led the way in fostering a favourable financial environment for new media and digital industries³⁵, while facilities like Wavefront Accelerated Commercialization and Boot-Up labs allow local ICT, wireless industry start-ups, and independent businesses to access complex, distant and potentially lucrative markets (Kassian, 2010). However, at the entry end of the scale, many artists, especially those with up-front production costs, such as independent filmmakers or fashion designers, are rarely able to obtain financial assistance from traditional lenders as banks consider their projects to be ‘high risk’ (ibid). In Vancouver, several progressive financial institutions, including VanCity and the Vancouver Foundation, have developed Peer Lending Programs and Small Business Self Reliance Loans to provide small, affordable loans to those who cannot access traditional funding (Kassian, 2010). This has given many commercial arts ventures their start, however, Murray (2010) explains that many individual artists and non-profit arts agencies remain in competition with other community groups for diminishing public funds.

³⁴ Vancouver’s central area is the focus for this research as it continues to be the source and centre of cultural production, distribution, and consumption for the city and the provincial economy (Hutton, 2004).

³⁵ The new and digital media industry encompasses many sub-sectors, including: interactive design; digital entertainment and games; digital film, animation and special effects; mobile content and applications including games and E-learning (Kassian, 2010).

While the arts and culture sector in British Columbia may be growing, federal and provincial funding for cultural facilities development has not kept pace. Total spending on culture and the arts by the provincial government in 2003-4 amounted to \$264 million, representing less than 1 per cent of all spending and placing Vancouver 7th among the provinces (Murray, 2009, p.381). Almost 80 percent of provincial funds allocated through the B.C. Arts Council are distributed to professional organizations, especially to 25 core designated institutions representing multidisciplinary activities, including new media and arts education (ibid). Traditionally, the level of federal funding per capita cultural spending in British Columbia has been among the lowest in Canada (Murray and Hutton, 2010), due in part to the challenges of developing tri-partite match funding agreements (Artscape, 2008). Between 2001 and 2007, twenty Cultural Spaces Canada projects totalling \$4.2 million in grants were funded in Vancouver, representing about 30 per cent of the total 59 B.C. projects which received \$14 million in grants (ibid, p. 19). A similar proportion of Infrastructure Canada grants to cultural projects in the province (\$10.5 million between 2001 and 2007) went to Vancouver, totalling about \$2 million in grants and representing only 4 of 17 projects funded (Artscape, 2008, p.19). As a result, many smaller-scale arts organizations have had to spend their limited time and resources pursuing project funding.

Although arts groups in Vancouver continue to rely on public sector support to varying degrees, many have sought alternative sources of funding to promote long-term stability, particularly in partnership with the private sector (O'Brian, 2007). As follows, Vancouver's post-corporate economy may perpetuate financial difficulties for the cultural community as there are fewer large businesses to act as patrons of the arts. In fact, the province of British Columbia has the lowest levels of private sector support for the arts in Canada (Murray, 2009). Consequently, there is concern that the demands of funders and supporters may impact the ability for some cultural facilities to sustain a strong presence in Vancouver. Hence, actions are necessary at the local level to ensure their survival. The City of Vancouver has a particularly important role to play in developing strategies to secure cultural space as the region's arts, culture and entertainment groups and facilities are heavily concentrated in the city and metropolitan core (Murray, 2009).

4.4.2 Socioeconomic Stratification

Compounding the challenges associated with a lack of financial support for artists and cultural institutions, Vancouver's transformation to a post-staples economy integrated into the Pacific Rim network of capital and labour flows has generated economic and occupational changes that have produced uneven geographies of employment and wealth. In recent years, the percentage of the Vancouver CMA population earning more than \$80,000 and those earning less than \$20,000 has increased while the rest of the income distribution has remained stable (Barnes et al., 2011, p.7). The proportion of workers below Statistics Canada's low-income cut-off increased from 13.7 percent to 20.8 percent between the 2001 and 2006 censuses, an increase of over 6 percent as compared to 4 percent for the rest of Canada (ibid, p.8). These trends illustrate an occupational distribution and level of income polarization common to global cities (Barnes et al., 2011). The impacts on local artists and arts groups are becoming increasingly apparent. In 2006, artists earned an average annual income of \$27,100, as compared to \$35,000 among all workers in the province (Hill, 2009). Dancers, musicians and painters earned even less, with average annual incomes of less than \$20,000 (ibid). With these salaries, many artists cannot afford to compete for space in terms of price.

Among Vancouver's arts community, these challenges may be exacerbated by the inherently contingent nature of artistic work. As Markusen (2006) describes, artists are more apt to be part of semi-permanent work groups, hold temporary jobs, and/or freelance for multiple employers. As such, the cultural labour market is characterized by fewer full-time workers who earn income from a single source. In Vancouver, economic restructuring has led to increases in self-employment, home-based work and other forms of flexible labour characteristic of production processes in the new economy. The percentage of self-employment in Vancouver increased from 8.5 percent in 1981 to 13.7 in 2006 (Barnes et al., 2011, p.8); the highest proportion of these workers is in the art, culture and recreational occupations (ibid). The stringent realities of the labour market, coupled with retrenchment in social programmes, have therefore generated a population of artists and cultural workers whose activities are increasingly contingent upon unpredictable forces of market and real estate change.

4.4.3 Federal and Provincial Policy Support

To provide the financial support and facilitates needed in Vancouver, strong public policy and a strategic focus for development is required at all levels of government (Murray, 2009).

This may be lacking in Vancouver's capacity to build a socially sustainable 'creative city.' Historically, the British Columbia provincial government has played a lesser role in cultural infrastructure development than many other Canadian provinces. The Arts and Culture Division to the Ministry of Tourism, Sport and the Arts was established in 2006 to "provide new cultural works, training, and support [for] community development" however, Murray (2009) notes that at the provincial level value is placed on artistic enterprises becoming more self-sustaining. In fact, the province has not seen fit to establish a major cultural infrastructure investment program to coordinate its activities (ibid). Instead, the premier announces periodic investments: most recently, a \$50 million grant to find a new home for the Vancouver Art Gallery (Murray, 2009), as larger and more visible entertainment facilities are considered from a City management perspective as 'safe bets' in terms of credibility and the potential for significant returns on capital investments. Such creative place-making strategies have generated certain geo-spatial dynamics in cultural agglomeration (Hutton, 2008). In particular, some critics have suggested that Vancouver's cultural development model favours highly organized, spectacle-oriented, and socially-approved activities (Murray, 2009) while smaller, not-for-profit arts agencies and independent galleries remain reliant on the City of Vancouver to create the context in which their operations are adequately supported and sustained (Artscape, 2008). In the wake of the federal government's retrenchment on commitment to social service provision, British Columbia has chosen to devolve much of the responsibility for cultural development onto its artists and municipal authorities (Murray, 2009). It is therefore imperative that strategic policy and planning initiatives implemented by the City of Vancouver support the creation and continued operations of a range of dedicated cultural facilities. This will involve developing a complete understanding of the challenges facing arts and cultural communities so that priorities for an inclusive approach to creative city-building can be established.

4.4.4 Cultural Infrastructure and Creative Production Space

Among the negative externalities of growth and change described above are the social consequences of urban and economic restructuring, including gentrification and displacement. In post-industrial Vancouver's current state of redevelopment, it is becoming increasingly difficult for artists to secure dedicated spaces for artistic uses, especially in central city areas. This is due, in part, to the socioeconomic transformation of urban neighbourhoods such as Yaletown, where

an influx of new residents, amenities, and urban design features have raised real estate values and restricted the availability of affordable workspace for non-established artists and cultural workers (Barnes and Hutton, 2009). Additionally, the problem of aging infrastructure limits the stock of suitable space while, the rezoning of light industrial and industrial land has reduced the potential for artists to use old factories and underutilized warehouses as work, studio, and performance venues. A study commissioned by the City of Vancouver indicates that the 2010 Olympics may have played a pivotal role in driving the property development boom which accelerated the rezoning and redevelopment of the downtown's remaining industrial areas in South East False Creek (Artscape, 2008). This is critical issue as industrial land is difficult (if not impossible) to replace or reconvert to industrial uses post-redevelopment. Hence, access to arts infrastructure remains a critical issue for artists in Vancouver.

In response to the challenges associated with a declining provision of urban infrastructure, some artists have banded together and turned to the idea of forming co-operatives to collectively own and manage their own space (Poon, 2010). Others have turned to non-profit organizations, such as artist-run centres, to access affordable space equipped for a variety of artistic uses (*ibid*). However, Poon (2010) notes that even if successful, the prospect of operating cultural facilities for artistic production and exposition remains an expensive, time-consuming, and challenging endeavour for the artists involved. In particular, she warns that if not properly protected by zoning or other policy measures, artists will be pushed further away from the central business district, and in the most extreme case, may disappear from the city altogether (*ibid*). Hence, redevelopment and increased real estate values are just two of the reasons why it has been difficult for artists to find and secure dedicated venues for artistic production, presentation, and live performance. Other reasons are presumably linked to restrictive land-use designations, municipal policies, and high permit fees which limit artists' abilities to create and sustain the operations of facilities dedicated to supporting a range of artistic practices. Although previous research has evaluated the impacts of financial and real estate pressures on Vancouver's arts and cultural community (Ley, 2003; Poon, 2010; Sacco et al., 2007), far less is known about the regulatory challenges associated with managing the creation and operation of cultural facilities, the extent to which these policies shape the context in which these facilities operate, or how venue operators experience the process of achieving bylaw and regulatory compliance to sustain

their operations in an increasingly challenging environment. It is precisely these issues which this paper seeks to investigate.

In summary, while many aspects of urban redevelopment in Vancouver emphasize creative place-making as a means to attract and retain skilled immigrants, visitors, and investors, non-professional artists and not-for-profit cultural groups struggle to find, finance, and sustain the operations of spaces dedicated to cultural production, presentation, and live performance practices. The approach taken in this paper is that the processes of growth and change described above place a much higher premium on the quality of local land use plans, cultural policies, and municipal regulations as tools for cultural planning and cultural facilities development (Hutton, 2010). In fact, there is wide agreement that municipal policy³⁶ and professional planning will continue to play critical roles in shaping a positive environment for urban development in creative cities, given the kinds of socioeconomic and political changes described above. As Murray and Hutton (2010) explain, it is especially critical to ‘get it right’ in the strategic domains of land use planning to maintain the quality and diversity of local services, recreation, and amenity provision. In other words, how the City manages the development of cultural facilities will influence its overall success in addressing the very real challenges of sustainability in the creative city. The final section of this chapter identifies the cultural planning and regulatory policies influencing the development of the cultural economy in Vancouver.

4.5 The Institutional Context: Cultural Governance, Cultural Planning, and Cultural Infrastructure Development in Vancouver

While global economic restructuring, political priorities, and social changes have shaped the cultural economy and context for cultural infrastructure development in Vancouver, the City of Vancouver’s commitment to post-industrialism as a tenet of policies for urban restructuring and land use development is reflected in several long-range strategic planning initiatives implemented in the past twenty years. In terms of the history of municipal involvement in arts and culture, Vancouver was among the first Canadian cities to adopt a cultural policy (explicitly dubbed a ‘Creative City’ plan) in 1987, and pioneered a program replicated elsewhere that

³⁶ Policy in this context starts with the basic repertoire of municipal regulatory instruments and development control, and extends to programs for imaginative visioning and site planning, the built environment and building bylaws (Hutton, 2010), and cultural planning.

fostered live/work spaces to create an arts-friendly city (Murray, 2010). Quite unlike Toronto's close alliance with the creative economy framework, Vancouver's cultural policy emerged from the social policy department of city bureaucracy, and endorsed participatory values and community consultation to achieve 'creative city' aspirations (Murray and Hutton, 2010). There have been repeated revisions to Vancouver's cultural policy goals in each decade of the city's post-industrial growth and redevelopment (1983 Arts Means Business; 1987 Cultural Plan; 1992 Vancouver Arts Initiative; 2006 Creative City Conversations; 2008 Culture Plan; 2009 Cultural Infrastructure Plan); as well as a number of widespread consultation processes (most recently with an arts-sponsored summit in Surrey in 2010) (ibid). The city's Cultural Goals, adopted by City Council in 1987, nonetheless continue to guide the development of cultural policy in Vancouver. These objectives are: "To ensure our future as a creative city, open and accessible to artists, to the broadest range of cultural expression, and to the widest participation" (Duxbury, 2004). In this approach, the City of Vancouver has adopted two underlying principles: (1) to integrate cultural planning interests in all planning processes of the city, and; (2) to partner with non-profit cultural organizations to deliver diverse and excellent arts and cultural services and activities throughout the city (ibid). Correspondingly, it has been argued that the City of Vancouver has pursued a relatively conscious, co-ordinated, and integrated approach to cultural and creative city planning, focussing on developing cultural policy that will resonate with social planning, economic, recreation, and even transit decisions (Murray, 2010). The following section discusses the structure of governance guiding cultural policy and development objectives in the city, the City of Vancouver's priorities for cultural planning, and the initiatives in cultural infrastructure development influencing the context in which artist-run centres spaces have developed and continue to operate.

4.5.1 Cultural Governance

The evolution of cultural planning in Vancouver has been influenced by a partisan municipal party system³⁷ that continues to act on a range of cultural matters. While there have been ideological differences in policy styles among the representatives of local government, no municipal party has significantly rolled back the contributions of its predecessors: once

³⁷ Among Canadian cities, Vancouver is unique because it has its own Charter, *Vancouver Charter* (1953), vesting it with a high degree of autonomy in governance and wider range of tax powers, including the right to tax tourists. Part of the revenues from this source is redirected into local cultural programs.

investments, or policy innovations have been made, they tend to stay, in part, balanced by a high degree of autonomy within civic service that has allowed wide discretion in the steering of local arts endeavours (Hutton and Murray, 2010). To ensure that artists and arts organizations can remain a vital part of the city, the Office of Cultural Affairs (OCA) (now named the Department of Cultural Services), provides a comprehensive range of supports to engage the creativity of its citizens and to strengthen the cultural community's ability to provide cultural services to residents and visitors (Duxbury, 2004). Confronting the challenges of limited regional and provincial interest or involvement in cultural development, support from local government is reflected in the programs, policies and planning work of Cultural Services which provides support through a number of mechanisms including: the operation of the Civic Theatres³⁸, sub-leasing of city-owned or leased land and buildings to non-profit arts and cultural groups³⁹, a capital grants program⁴⁰ to assist with purchasing or renovating facilities not owned by the city, and long-range cultural policy and cultural facility development working with the City of Vancouver's Planning Department and development community (City of Vancouver, 2008a). Cultural Services also works to sustain and enhance controls a quantum of direct municipal funding for cultural institutions that is unparalleled in Canada, employing more public sector workers than even the provincial bureaucracy (Murray, 2009). In addition to the work of Cultural Services, City Council established an Arts and Culture Policy Council in February 2012 to act as conduit for feedback from the public and advice Council and staff on civic issues, programs, and services that relate to arts and culture (City of Vancouver, 2012h). A coordinated approach to cultural governance is hence a high priority for the City of Vancouver as it continues to pursue cultural development for a growing arts and cultural community with diverse needs.

Although the City of Vancouver has pursued a relatively holistic and integrated approach to cultural governance, there is currently no arms-length cultural foundation steering local policy; indeed, there is a level of administrative intervention in cultural facilities development that crosses various sectors of municipal government. At the local level, civic regulations

³⁸ Queen Elizabeth Theatre, Orpheum Theatre, Playhouse Theatre

³⁹ Including City-owned land and buildings least at nominal rent to non-profit arts and cultural organizations, such as Firehall Arts Centre, Science World, and the Vancouver Museum.

⁴⁰ Including the Cultural Infrastructure Grant Program supporting non-profit cultural organizations in their preplanning, purchase or renovation of capital projects; and Amenity Bonusing and Community Amenity Contribution Policy, which in the last 25 years have been instrumental in creating over 10 arts and culture facilities such as the Vancouver International Film Centre, ArtStarts in Schools, and the Contemporary Art Gallery (City of Vancouver, 2008a)

governing the uses and activities of cultural spaces are fragmented between various departments, including Cultural Services, Vancouver Fire and Rescue, Vancouver Police Department, Development Services, Licensing and Inspections (Liquor, Noise, Building and Business Licensing), Planning, Engineering (Film and Special Events), and the Park Board, and encompass various civic bylaws and policies, such as the *Zoning and Development Bylaw*, the *Vancouver Building Bylaw*, and permits and licence regulations such as Development Permits, Building Permits, Trades Permits, Occupancy Permits, Business Licences, and Liquor Licences (discussed in Chapter 2). Governing bodies, including municipal governments, use regulatory processes to safeguard the city's residents and visitors by ensuring that activities with their jurisdictions take place in a safe and neighbourly manner (City of Vancouver, 2010). In addition, these processes provide structure for how the City envisions and realizes its social, cultural, and economic development objectives (ibid). Undertaken on a complaint basis, regulatory enforcement is handled by inspectors and Environmental Health staff (Pickersgill, 2006). If and when establishments operate beyond what is permitted or prescribed by land use and licensing, a long and sometimes arduous task of gathering evidence is undertaken (ibid). The means to achieve creative city aspirations has therefore depended on an interdepartmental approach to cultural facilities development that integrates all aspects of policy, governance processes, and planning strategies and facilitates coordination among all of the departments responsible for land use and infrastructure.

4.5.2 Cultural Planning

The City of Vancouver's commitment to cultural planning originated in the 1960s within a social planning context, which remains a key philosophical basis for its cultural development efforts (Duxbury 2004). Since then, the City has implemented a number of cultural policies and plans guided by the Council-approved cultural objectives. Most recently, Vancouver City Council approved the creation of the Creative City Task Force in 2004, comprised of municipal Councillors, community representatives and City staff, to organize and undertake a strategic planning process that would update the goals, directions and policy objectives for the City's long-term role in support of arts and culture (Artscape, 2008). The planning process, which included research, plan development, and community consultation, culminated in April of 2007 with the Creative City Conversation —the City's first forum on the power of culture, creativity

and community – that brought together 485 artists, arts administrators, other creative sector workers, and members of the public. This free, public event was part of the larger consultation process noted above and, in conjunction with the City’s Creative City Task Force, informed the creation of a long-term Culture Plan to guide the City’s role in arts and culture in Vancouver for the following decade. The resulting *Culture Plan for Vancouver 2008-2018* was approved by City Council in January 2008, the core vision of which is “to develop, enliven, enhance and promote arts, culture, and cultural diversity in the City of Vancouver to the benefit of our citizens, our creative community, our business sector and our visitors” (City of Vancouver, 2008b, p. 6).

Driven by a goal to “reflect the aspirations of a 21st century creative city”, “on the leading edge of cultural activity and development” (City of Vancouver, 2010), Vancouver’s *Culture Plan* has since been supplemented by a comprehensive range of supports and opportunities dedicated to providing a variety of cultural services for residents and visitors. Policies purported to benefit cultural facilities development include innovative policies to leverage significant community benefits, including Heritage Density Transfers, Amenity Bonusing⁴¹, and Community Amenity Contributions (CACs) – “a cash or in-kind contribution by the developer to the neighbourhood through the provision of parts, childcare, social or cultural facilities or public realm enhancements” (Artscape, 2008). In return, the City has negotiated long-term leases with some thirteen ‘chosen cultural instruments’ like the Scotia Bank Dance Centre, the Alliance for Arts and Culture, ArtStarts in Schools, the Vancouver International Film Festival, and most recently for the Vancouver Symphony (Murray and Hutton, 2010). The City also supported projects from 341 arts, culture, and heritage organizations between 2001 and 2006, and received provincial support for imposing a 2 per cent hotel tax to reinvest in cultural tourism-related projects⁴² (ibid, p.13). In 2007, the City of Vancouver disbursed \$10 million in operational and project grants to

⁴¹ In the late 1990s and early 2000s, a cultural facility boom was enabled and fuelled by an aggressive private development market in the downtown core linked to a civic amenity bonusing program that traded increased development density for the provision of public amenities (Duxbury, 2004). Through this program, the 1990s and early 2000s saw the development of spaces for the Contemporary Art Gallery (completed in 2001), Vancouver International Film Centre (completed in 2005-06), and Artstarts in Schools (completed in 2006) (ibid).

⁴² In recognition of the roles of culture in attracting visitors to Vancouver, Tourism Vancouver and the City of Vancouver developed a partnership strategy which was adopted by City Council and the Board of Tourism Vancouver in July 2008. The policy called for investment in the creation of a ‘cultural brand’ for Vancouver, market-ready products for coordinated tourism marketing initiatives as well as initiatives to drive local and visitor attendance and participation in Vancouver cultural offerings (City of Vancouver, 2008c).

some 200 organizations – the highest per capital municipal funding in Canada (Murray and Hutton, 2010, p.13). The creation of these opportunities and investments signals that the municipal government of Vancouver has made support of and investment in the creative sector a priority, at least insofar as it contributes to making the sort of place that the skilled workers in demand for the new economy want to live and work (ibid). A sore point in Vancouver has been, however, the imbalance in local investment, with very little cultural support forthcoming to individual artists or smaller arts organizations, despite their significant presence in the city. As Murray and Hutton (2010) explain, the amenity bonus and community amenity programs have typically been utilized to deliver large-scale cultural infrastructure projects in competition with other community amenities, while most of the grant money is concentrated among flagship municipal cultural institutions, including the Vancouver Art Gallery, the Vancouver Symphony, Vancouver Museum, the HR MacMillan Planetarium, and its Civic Theatres program. About half (45 per cent) of its remaining grants are under \$10,000 (ibid). Hence, the City of Vancouver has a substantial record in the development, funding and management of arts and cultural facilities – pursuing investment consistent with the types of amenities endorsed within creative city discourses.

4.5.3 Cultural Infrastructure Development

Included in the portfolio of the Creative City Task Force is the responsibility for strategic infrastructure development. In 2008, the *Cultural Facilities Priorities Plan 2008-2023* was developed in collaboration with the City of Vancouver and Artscape Inc “to address the gaps, needs, and opportunities for the retention, renovation, restoration and construction of facilities, spaces and places for the creation, production, exhibition, experience and enjoyment of artistic expression in all its forms” (City of Vancouver, 2008b, p.11). Without a large capital partner from the senior government or corporate sector, the supplementary document to the Culture Plan advocates an integrated approach to cultural facilities development in order to restrain gentrification (Murray and Hutton, 2010). The City of Vancouver’s first *Cultural Facilities Plan*, published in 1990, guided Vancouver City Council for ten years in establishing facilities priorities for the performing and visual arts, exhibiting institutions, education and resource centres, film/media facilities and housing (Artscape, 2008). An assessment of the regulatory restrictions impacting the arts and cultural sector led to the development innovative zoning for

artists' live/work space, calling for the creation of new zoning categories that would appeal to the working and lifestyle preferences of creative employees (ibid). In 1995 and 1996, the City of Vancouver drafted comprehensive policies and guidelines for six new zoning categories: commercial, industrial, and artist live/work and work/live spaces (Artscape, 2008) to allow uses ranging from small business and storefront activity to light manufacturing or servicing – the traditional production methods of artists – in their living space. Originally, these new zoning provisions were established to help foster creative ventures among visual and performing artists. However, a more recent study commissioned by the City of Vancouver concluded that these spaces have become increasingly occupied by professional employees in new media and other creative industries (Artscape, 2008). The *Cultural Facilities Priorities Plan 2008-2023* builds on the work of earlier plans by assessing the arts and cultural community's needs and identified facilities gaps, providing a strategy for cultural facility development in Vancouver for the next fifteen years, and making recommendations on how the City, working with community, government and private partners, can begin to address these gaps and improve the conditions under which cultural production, exhibition, and performance spaces can develop and operate in Vancouver (ibid).

As a part of Artscape's (2008) initial assessment of the opportunities and challenges impacting cultural facilities development in the city, a crisis of unaffordability, lack of creative production space⁴³, and the subsequent displacement of artists and practitioners to other cities were identified as some of the overwhelming challenges threatening the overall health, vibrancy, and sustainability of the creative and cultural sectors. It was also identified that these challenges, while not unique to Vancouver, are intensified and further exacerbated by the limited capacity of the arts and cultural community to create and sustain the operations of multipurpose spaces dedicated to the production, exhibition, and experience of arts and culture in the city (Artscape, 2008). Research conducted by Artscape for the *Cultural Facilities Priorities Plan 2008-2018* revealed that City staff and members of the arts and culture community were frustrated by the challenges they face at times in navigating zoning, licensing, and building code issues as they affect cultural facilities development (ibid). A lack of capacity and leadership within the arts community, a lack of clear and accessible information from the City, and a lack of collaboration

⁴³ Including production, workshop, rehearsal, storage and administration facilities (Artscape, 2008).

and coordination in policy development, strategic planning, and facility development were identified as some of the primary factors inhibiting the development cultural spaces in the city, including live exhibition and creation/production venues. In turn, Artscape (2008) called for the need to maximize opportunities for policy alignment and development both interdepartmentally within the City and other tiers of government. In the short term, they also identified a need to assist non-profit arts groups with the City's regulatory process and to work closely with zoning, building code and licensing staff to assist in the development of a modernized and harmonized regulatory system (Artscape, 2008). To address these issues, Cultural Services staff launched the Regulatory Review for Live Performance Venues in September 2009. The purpose of the review is to improve the City's regulatory systems to enable the creation and continued operations of live performance venues in Vancouver.

The research conducted for this paper correspondingly seeks to contribute to ongoing assessments of the regulatory issues impacting cultural spaces in Vancouver, focussing on artist-run centres and independent arts spaces as unique kinds of cultural facilities that integrate multiple functions in one location (e.g. rehearsal, production, administration activity); have developed multi-tenant, artist workspaces; and/or provide supporting opportunities for cross-fertilization, collaboration, and incubation through a mix of cultural, civic and entrepreneurial uses and tenures. Given the complexities of these uses, and the unique contributions artist-run centres and spaces make to the cultural ecology of the city, this research builds on Artscape's (2008) assessment of the regulatory issues impacting cultural facilities development in Vancouver by providing direct insight into artists' experiences with municipal regulations, the strategies they employ to achieve bylaw and regulatory compliance, as well as their main motivations for continuing to pursue their creative practices in Vancouver. This research consequently offers insight into whether the City of Vancouver has progressed towards improving some of the regulatory issues identified in the *Cultural Facilities Priorities Plan 2008-2023* as they relate to operations of small, non-profit and independent arts spaces as essential sources of cultural production, creativity and innovation in Vancouver.

5 Methodology and Introduction to the Case Studies

Situating the research problem in a broader theoretical and practical planning context, this chapter provides an overview of the links between the theory, methodology, and qualitative research methods used to collect and analyse the information obtained for this research. The chapter outlines the methodological approach informing the process of data collection and analysis, describes the research methods employed, summarizes the research procedures, and describes the characteristics of the artist-run centres and independent arts facilities included as case studies.

5.1 Methodology

For the purpose of this research, content analysis is the methodological underpinning for the research methods employed. The methodology is informed by the constructivist⁴⁴ belief that knowledge is socially produced and imposed on the world by people through their linguistic descriptions and personalized understandings of it (Waite, 2005). Researchers can therefore interpret how participants think and perceive by analyzing their individual descriptions of ‘truth’ and knowledge, as shaped by their personal experiences and beliefs. This system of inquiry directly informs the use of case studies and interviews as the qualitative research methods employed for collecting and analyzing qualitative research data. Recognizing that respondents have had different experiences with municipal regulations, individual responses to open-ended interview questions were used to gain access to information about events, opinions, and experiences, as well as gain valuable insight into participants’ perceptions of the extent to which these policies have impacted the creation and operation of artist-run centres and independent arts facilities in the City of Vancouver.

5.2 Research Methods

To gain insight into human experiences, attitudes and perceptions, the primary research method employed for this research was semi-structured, face-to-face interviews with the founders, directors/curators, and/or primary operators responsible for managing Vancouver’s

⁴⁴ As the philosophical foundation of this research, constructivist inquirers maintain that ‘reality’ and ‘truth’ are not objective or absolute; rather, that social phenomena derive from the meaning-making activities of groups and/or individuals through their transactional/subjectivist and co-constructed experiences and understandings of the world (Guba and Lincoln, 2005).

artist-run centres and independent arts spaces. The use of case studies also provided an opportunity to explore the experiences and effects of municipal regulations on a selection of artists and arts facilities in the city.

5.2.1 Interviews

An interview is defined as “a face-to-face verbal interchange in which one person, the interviewer, attempts to elicit information or expressions of opinion or belief from another person or persons” (Maccoby and Maccoby, 1954, p. 491 cited in Dunn, 2005, p. 79). Originally employed as a method of polling and systematic surveying, qualitative interviewing has historically assumed some of the quantifiable scientific rigour used for gathering ‘objective’ information (Fontana and Frey, 2005). However, as Fontana and Frey (2005) recall, “interviewing is not merely the neutral exchange of asking questions and getting answers” (p. 696). More recently, qualitative research has challenged assumptions related to interviewing by focussing attention onto exploring constructivist notions of socially produced realities (ibid). As Dunn (2005) explains, interviews bring people into the research process by providing an opportunity for informants to use their own words or vernacular to describe their lived experiences, opinions, and perceptions. In addition, both qualitative and quantitative researchers tend to rely on the interview as the basic method of data gathering to obtain a rich, in-depth experiential account of an event or episode in lives of respondents (Fontana and Frey, 2005). For the purpose of this research, interviews were conducted to gather data from a narrative experience. Semi-structured interviewing allowed for ordered and flexible questioning judged by the researcher to be relevant to the research problem (Dunn, 2005). It also allowed the researcher to redirect conversation if it diverged too far from the research topics (ibid). Questions asked during the interview were content-focussed and pertained directly to participants’ experiences with municipal regulations, their perceptions of the effects of regulations on the creation and operations of their cultural space, the strategies they employ to achieve bylaw and regulatory compliance, and their personal motivations behind continuing their creative practices in Vancouver.

A process of coding and analysis was then conducted to examine participants’ verbal responses to all interview questions. Content analysis proceeds by coding and the quantifying the priorities of identified and emergent themes within texts (Lutz and Collins, 1993). For the

purpose of this research, data collected from each of the interview participants was transcribed, coded and analysed together to identify overarching themes. It is possible to distinguish between *manifest* and *latent* content for the purposes of content analysis, such that when researchers focus upon the content of a text, describing its visible, obvious components, they are examining *manifest* content (Dunn, 2005; Massey, 2010). This contrasts the work of researchers who seek to interpret and examine the underlying meaning of the text, referred to as the *latent* content, which is more abstract and subject to greater interpretation (Massey, 2010). The determination of meanings within a text is a form of coding (Dunn, 2005). Analysis for the purposes of this paper focuses on examining both the manifest and latent content present in the data. Although subject to an individualized process of interpretation by the researcher, a process of critical content analysis was conducted to understand the experiences and effects of municipal regulations on artist-run centres and spaces in Vancouver from the perspective of the artists who manage their programming and activities.

The process of transcribing proved to be an important step in the research/analysis phase, as it allowed for critical reflection on the informational obtained during the interview, as well as an initial review and synthesis of repeating themes and arguments. To record the initial observations and themes that surfaced during the early in the primary research process, all interviews were transcribed soon after completion. The qualitative data obtained from each survey participant was subject to the same process of analysis. First, the responses, classified as *meaning units* (Baxter, 1991), were *condensed* (Coffey and Atkinson, 1996) and then *coded* (Massey, 2010). A meaning unit consists of words, sentences or paragraphs that are related to each other through their content or context (Massey, 2010). According to Waitt (2005), classifying qualitative data into meaning units is critical given that in the process of discourse analysis, meanings cannot be inferred by a single word or sentence, but depend on their ‘intertextuality’ (p.171) or relationships with other words or texts. For the purpose of this study, the verbal responses provided by each interview participant served as the meaning units which were then examined individually and in relation to one other. To analyse large quantities of data it is necessary to condense these pieces of text by shortening the length while preserving the key words and core meaning (Massey, 2010). Once condensed, each meaning unit is coded, allowing a researcher to easily identify the key themes and elements of the response (ibid). Table 5.1 presents an example of the process of content analysis, providing two examples of meaning

units, condensed meaning units and codes. Interview material that was not relevant to the research problem was not coded, while other sections of text were given multiple coding values depending on the information provided.

Meaning Unit	Condensed Meaning Unit	Code
There is not a lot of communication between Cultural Services and the departments that deal with space issues, zoning issues. I've heard that there has been an improvement in terms of communication now between one specific officer at Cultural Services. There is one that is actively trying to work with zoning to make them more aware of zoning issues that artists face.	Lack of coordination between Cultural Services staff and the various municipal planning departments involved in crafting and enforcing regulations.	Lack of Coordination
Artist-run centres aren't really artist-run centres anymore. They are kind of semi-public galleries that are run by professional curators and professional managers. But, they carry with them the original values that were set up by the artists that founded the artist-run centres.	The operations and activities of artist-run centres have evolved to reflect more institutionalized structures of management, curation, and decision-making; continue to carry the traditional values of artist-run culture.	Professionalization in Management

Table 5.1: Extract of the Process of Analysis for Coding Qualitative Interview Transcripts

A series of 90 individual codes resulted from this process of analysis. The various codes were compared based on differences and similarities and organized into 8 categories, 24 subcategories, and three overarching themes: (1) Activities and Contributions of Artist-Run Centres and Cultural Spaces; (2) Regulatory Challenges and their Effects on Artist-Run Centres and Cultural Spaces; (3) Strategies to Address Regulations and Motivations for Continuing to Work (see Appendix H for themes with categories, subcategories, and codes).

Although this method of analysing qualitative data provided important insight into artists' experiences with municipal regulations, content analysis is a subjective process (Waitt, 2005). An assumption underlying the analysis of this data is that text always involves multiple meanings and therefore the researcher will always, albeit to varying degrees depending on the text, interpret the text differently, taking its context into consideration (Massey, 2010). Individual engagement with the process of content analysis may therefore affect the specific outcomes and conclusions drawn from the qualitative information obtained. Furthermore, as interviews were

conducted with the managers/directors of cultural spaces in Vancouver, information is based on a subjective interpretation of the regulatory process, what is required to achieve regulatory compliance, and how complemented approvals processes have unfolded. While it may be difficult for one individual in a single agency to accurately assess the full spectrum of cultural development policy, the interviews nonetheless provide insight into artists' experiences and the effects of regulations based on the opinions of those directly involved in the inception, development, and management of the artist-run cultural facilities included as case studies.

5.2.2 Case Studies

Case study research provides an in-depth examination of an extensive amount of information for a limited number of cases, focusing on several key features. According to Flyvbjerg (2011), the strength of case study research lies in its ability to provide a detailed examination of an individual case or set of similar cases, focusing on their relation to the context and large-scale processes to generate new insight captured at a particular point in time. As such, case studies are not intended to explain causality or be representative of broader patterns, but provide extensive insight into an individual case, group or cohort sharing similar histories, characteristics and/or experiences (Newman, 2006). For the purpose of this research, an examination of case studies yielded an in-depth, detailed knowledge of the operations of a selection of registered non-profit artist-run centres and independent arts facilities in the City of Vancouver, as well as instructive insight into the regulatory issues that have impacted their programming and operations and the strategies artists have employed to navigate municipal planning and regulatory approvals processes.

The member centres belonging to the Pacific Association of Artist-Run Centres (PAARC) were initially identified as case studies for inclusion in this study. Member organizations are artist-initiated and artist controlled, working towards the benefit of the practicing artist by coordinating their opening receptions and events, collaborating on programming initiatives, and working together for the common cause of advocacy on behalf of artists' self-determination (PAARC, n.d.). In addition to exploring the experiences of registered, non-profit artist-run centres, this report covers other venue types initiated by artists, operating without non-profit status and in various locations throughout the City of Vancouver, including roaming public art projects, small DIY spaces, and artist collectives. The use of case studies

provided an opportunity to explore the particular experiences of each venue in detail. In total, the operators of twelve artist-run centres and independent arts spaces were interviewed for the purpose of this research (Table 5.2). The subjects range from those that have endured and grown since the early 1970s to those that have emerged or been reconfigured in the past decade and have experienced a range of regulatory issues related to various aspects of their programming and operations (see Appendix I for a full description of each of the case studies included in this research).

Art Space	Founded	Location	Primary Type	Organizational Status
A	1981	Chinatown	Artist-Run Centre	Registered Non-Profit
B	1984	Mount Pleasant	Artist-Run Centre	Registered Non-Profit
C	1991	Chinatown	Artist-Run Centre	Registered Non-Profit
D	2005	Impermanent Location	Artist-Run Society	Registered Non-Profit
E	1974	Granville Island	Artist-Run Centre	Registered Non-Profit
F	2005	Chinatown	Artist-Run Centre	Registered Non-Profit
G	1971	Central Area	Public Art Gallery	Independent, Non-Profit
H	2003	Chinatown	Artist-Run Facility	Independent
I	2009	Downtown Eastside	Artist-Run Facility	Independent
J	2009	Impermanent Location	Artist-Run Facility	Independent
K	2001	Impermanent Location	Artist-Run Event	Registered Non-Profit
L	2012	Dunbar	Artist-Run Facility	Independent

Table 5.2: Art Spaces Selected for Study

A series of in-depth, semi-structured, face-to-face interviews were conducted with the founding members, administrators, directors/curators, and/or primary operators of these spaces. Respondents had a deep involvement with the art space, often from inception, and/or were responsible for managing its daily operations. Suggestions from interview participants about the most appropriate person(s) to contact in order to obtain relevant information about regulatory history of the space were also welcomed by the researcher. Once the primary venue operators responsible for managing Vancouver's artist-run centres and spaces were identified, initial contact with potential participants was made via email using a letter of initial contact. Additional information about the study and the interview was provided upon request. Prior to the commencement of each interview, participants were asked to sign a consent form which included information about the proposed purpose of this research, project aims, reasons for their involvement, and use of the information provided. Participants were further informed of their ethical rights in the consent form. Once the researchers received the written, signed, and dated informed consent form, face-to-face, semi-structured interviews were conducted in the artist-run

centre or space included as a case study. Participants were asked to meet only once to complete the interview. All interviews took place between November 2011 and April 2012 and lasted approximately one to two hours. With permission from the participant, the question and response session was audio recorded and later transcribed into computerized files which were coded and analyzed using the qualitative data analysis techniques described above. The purpose of the interviews was to understand venue operators' experiences with regulations, the strategies they employ to achieve bylaw and regulatory compliance, as well as their primary motivations for continuing their creative practices in Vancouver. After allowing the participants to emphasize what they felt is most important regarding these topics, the research probed for more specific details, relating their experiences to the topics discussed in the literature review.

5.2.3 Introduction to the Case Studies⁴⁵

Gallery A

Non-Profit Organization, Artist-Run Centre

Gallery A began as a joint venture between students at the Vancouver School of Art (now the Emily Carr University of Art and Design) and a local artist-run collective. Early in its history, the organization established itself as one that was resistant to all forms of 'the establishment'. It maintained a downtown gallery space, frequently hosted punk bands, and continually exhibited emerging artists and events from societal subcultures. Over its thirty years of operation, Gallery A has undergone periods of transformation and reinvention, inclusive of eight separate moves to new gallery locations. Although based in visual art practice, its programming has developed to include exhibitions, media, telecommunications, publishing, music, and performance. Today, Gallery A supports and assists in the development of artists' curatorial projects, concentrating on a limited set of projects each year. For the purpose of this research, the current Executive Director of Gallery A shared his experiences with regulations and perceptions of the extent to which municipal policies and planning practices impact the creation and operation of artist-run centres and independent art spaces in Vancouver.

⁴⁵ Most of the information included in this section was obtained from ARCLines, a project of the Pacific Association of Artist-Run Centres (PAARC) (Collins, n.d.)

Gallery B

Non-Profit Organization, Artist-Run Centre

Established in 1984, Gallery B grew as a collective of artists organizing exhibitions in the front room of a loft apartment, and continued to operate informally until it became necessary for it to become an independently established organizational entity in order to obtain public sector funding. The impetus among this group for starting a new space, apart from the desire to put up their own work, was to feature work that was not shown in existing artist-run centres, such as folk or performance art, work by non-white artists, and work that was feminist in nature. Over time, its programming and activities have extended to include exhibitions, performances, publications, and special projects that feature underexposed or less-represented work. In 1995, the now board-run facility underwent a capital campaign and purchased their own space, one of the first artist-run centres to do so in Vancouver. For the purpose of this research, interviews were conducted with the Co-Founder and current Program Director of Gallery B, as well as the current Communications and Programming Director.

Gallery C

Non-Profit Organization, Artist-Run Centre

In 1991, a group of graduate students from UBC and one local artist banded together to open a gallery. When notices of eviction were served in 1993, the gallery relocated to space in the Downtown Eastside which required significant renovation, all of which was undertaken by the artists themselves. It was maintained for several years without operating funds from government agencies. Alternative sources of funding have traditionally come from liquor sales, studio rentals, and the support of the artists themselves. As the gallery has developed its programming and activities and become tied to larger community efforts, it has come to rely on public sector grants to maintain stable operations, but continues to hold exhibitions and events that generate alternative sources of revenue. Gallery C provides professional development opportunities to artists and audiences by supporting presentations from local, national and international artists, curators, and cultural practitioners. In the development of new exhibitions, emerging artists are sometimes connected with mid-career and established artists to encourage collaboration, mentorship and apprenticeship, and the creation of innovative ideas. As such, Gallery C strives to spark critical conversations about contemporary art through experimentation and creative risk-taking within the gallery space and beyond, presenting several exhibitions a

year. For the purpose of this research, the Director/Curator of Gallery C provided instructive insight into opportunities and challenges associated with sustaining the operations and activities of this artist-run centre with limited public funding opportunities in an evolving urban context.

Gallery D

Non-Profit Society, Artist-Run Organization

Developed in response to the financial challenges associated with establishing permanent indoor exhibition spaces in Vancouver, Gallery D formed as a non-profit society in 2005. Functioning without a permanent space, its projects range in subject, format, location, and duration; having taken place in offices, galleries, apartments, live/work studio spaces, and on the street. The goal is to engage patrons and the public in a variety of situations and spaces in order to expand existing conventions for identifying and presenting contemporary art. Today, Gallery D continues to experiment with site-specific platforms that respond to both the obstacles inherent in operating from a fixed location, and a desire to offer new experiences for interacting with art by changing its context. For the purpose of this research, the Founder and Executive Director recalled his rationale and experiences creating and sustaining the operations of Gallery D in Vancouver.

Gallery E

Non-Profit Organization, Artist-Run Centre

Gallery E was formed by a small group of mature arts students, fellows, and instructors at the Vancouver School of Art in 1974. It became a registered non-profit society in 1975, and soon after opened its first studio opened to provide shared equipment for artists engaged in screen printing, print media, and traditional print practice as a contemporary art form. Space was provided by a local educational institution for a nominal fee in exchange for an agreement that Gallery E would host workshops and allow community use of the presses one day per week. In 1979, the society opted to move to a new location in downtown Vancouver where a 50 percent rent increase, coupled with the costs of certain permits and renovations required by the City and Fire Marshall, proved too costly to manage. As a result, Gallery E relocated to its current location on Granville Island in 1981. It continues to provide a range of services to artists, including: international and local printmaking residencies, workshops, scholarships, and public

programming related to printmaking activity. For the purpose of this research, information pertaining to the operations of Gallery E was obtained from the current Executive Director.

Gallery F

Non-Profit Organization, Artist-Run Centre

Gallery F began as an artist-run collective in 2005 when students from Emily Carr University pursued the creation of a critical context and participatory learning space to experiment and share their work. For the first two years, the student-led organization ran one-night, non-juried exhibitions that provided artists with the public space to talk, exhibit, and learn. The introduction of a dedicated space in 2008 provided the organization with the agency to present a wider array of programming that focussed on the application of design principles in contemporary art practices. The gallery and studios became critical factors to their incorporation as a not-profit organization in 2007. Today, Gallery F continues to be a predominantly self-funded artist-run space, producing a number of exhibitions, talks, workshops and publications that engage diverse audience and develop new approaches to contemporary cultural production and curation. To continue its operations, and help erase the debt incurred over the course of completing renovations, the gallery rents studio space to artists at affordable rates. For the purpose of this research, an interview with the Co-Founder and Executive Director of Gallery F provided instructive insight into the organization's unique operations strategy and experiences achieving bylaw and regulatory compliance to create and maintain a dedicated arts space in Vancouver.

Gallery G

Non-Profit Society

Established in 1971, Gallery G began as a pilot project commissioned by the City of Vancouver Social Planning Department, which hired artists to create work for inclusion in the City of Vancouver Art Collection. In 1976, the gallery became an artist-run centre registered as a federal charity and non-profit society, and developed an exhibition program that provided solo exhibitions and catalogues to many local, national and international artists. In 1996, Gallery G became an independent public art gallery and eventually moved to a new purpose-built facility under the aegis of the City of Vancouver's Amenity Bonus program. Today, it continues to promote knowledge and understanding of contemporary visual art practices through exhibitions,

education and public outreach programs, publications, visiting artist/curator programs, information and resource services, and the circulation of the City of Vancouver Art Collection throughout civic buildings, museums and galleries. Although Gallery G is no longer an artist-run centre, it is characterized as an independent art gallery for the purpose of this research, and provides some insight into the ways in which a facility manages regulations after the redevelopment of their space is facilitated through City of Vancouver's Community Amenity Program. The Program Administrator of Gallery G was interviewed for the purpose of this research. Prior to this position, she worked in a number of registered, non-profit artist-run centres in the City of Vancouver.

Gallery H Independent Arts Facility

Established in 2003, Gallery H is an independent arts facility and community based art resource centre that provides creative production space for emerging and established artists producing work that may not be embraced by commercial galleries. Services include: facility, supply and craft rentals; movie screenings and other various events; and workshops for screen-printing, audio, film, animation, dance and spoken word. The facility is comprised of studio, retail, office, gallery and venue areas created specifically for creating and presenting new works of art. Gallery H also opens its doors to film, video and experimental audio performances as well as live theatre. These services thrive solely on equipment rentals, sales, and community support as the gallery operates without government funding. Gallery H also raises funds by collaborating with various organizations in the arts, media, and community field. In this capacity, the facility aims to foster collaboration and creative expression by presenting underground works to diverse communities, and encouraging the general public to explore their own creative expressions. The founder and director of Gallery H was interviewed for the purpose of this research.

Gallery I Independent Arts Facility

Gallery I is a gallery and artist studio space situated in an artist-only building in Vancouver's traditionally low-income Downtown Eastside neighbourhood. Founded by four arts students in 2009, the space is dedicated to providing an inclusive meeting place for cultural workers and community members committed to fostering a dynamic culture. As a multi-purpose

creative production and exhibition space, Gallery I produces community events, provides open studios, and hosts drawing, theatre and music performances with a constant exhibition schedule. More recently, the gallery has cut back on the number and extent of ancillary activities (including hosting live music events) to focus on the redevelopment of artist studio spaces and gallery programs as more stable sources of revenue. In addition, it has integrated commercial arts activities into its programming, along with showcasing multidisciplinary works that are not on sale to the public. For the purpose of this research, one of the Co-Founders of Gallery I provided instructive insight into the organization's programming and operations, as well as her experiences navigating municipal regulatory processes as a new independent arts facility in the heart of downtown Vancouver.

Gallery J

Independent Arts Facility, Mobile Project Space

Developed in response to the shrinking supply of affordable art spaces in Vancouver, Gallery J operates in a mobile trailer that has been converted into a multi-functional studio, gallery, and event space. It began as a graduate project conceived of by two students at Emily Carr University who desired to create an open space for gathering and dialogue that fostered creative collaborations among artists and the public outside of traditional creative contexts and environments. Moreover, the students sought an alternative format to developing permanent indoor exhibition spaces in Vancouver in order to circumvent some of regulatory approvals processes required and develop a space that would encourage creative processes of reuse and reinvention. Since opening in 2009, Gallery J has hosted a number of projects, artists' talks, performances, discussions, concerts, radio broadcasts, dinner parties, special events, and micro residencies. As such, it has become an open forum for artistic synergies, experimentation, and the creation of new and innovative practices in the arts. For the purpose of this research, the two co-founders and primary operators of Gallery J shared their experiences with municipal regulations, as well as their perceptions of the extent to which these policies impact the creation and operation of new artist-run galleries and independent arts facilities in Vancouver.

Gallery K Artist-Run Society

Originally conceived as a modest show created by three artists needing a platform to display their work, Gallery K is a registered non-profit society run that has grown to become one of the largest single-night art events in Western Canada. The event takes place in a different location in Vancouver each year and aims to promote the work of talented and underexposed artists. Each year, the event has moved into larger venues to support growing public interest and larger audiences, and has recently partnered with corporate sponsors and real estate developers to expand in size. Today, Gallery K showcases hundreds of multi-disciplinary artists, based solely on their artistic merit, and offers all of the works at a uniform affordable price regardless of market value. The aim is to remove barriers between emerging and established artists, buyers, curators, gallery directors, collectors, and the general public while fostering the development of the only large-scale grassroots arts event of its kind in the City of Vancouver. For the purpose of this research, the former Executive Director of Gallery K shared his experiences with municipal regulations and perceptions of the extent to which these policies may impact its operations as Gallery K continues to attract thousands of visitors and acquire national and international attention.

Gallery L Commercial Arts Space

Gallery L is an independent recording studio specializing in independent music production. The five-room facility is owned and operated by a Vancouver-based producer/engineer/musician. At the time of the interview, Gallery L was undergoing interior renovations to complete the studio production space. The facility consists of five small, acoustically isolated rooms, as well as equipment and workspaces that are rented to indie bands at affordable rates. Above grade is residential living space, reinforcing the mixed-use nature of the establishment as a residential, commercial and light industrial. For the purpose of this research, Vancouver-based musician, founder, and owner of Vertical Studios provided a full account of the regulatory process associated with opening this venue, the challenges involved, and the ways in which regulatory restrictions have impacted the uses and activities he had originally intended for the purpose of upgrading and repurposing the facility into an affordable creative production space.

6 Findings

The initial chapters of this thesis explore the theoretical and practical planning context for cultural facilities development in the creative city, identifying sources of activity in the cultural economy and some of the negative externalities of policy-led urban regeneration. This chapter examines the influence of regulations in shaping the context under which non-profit and independent arts facilities have developed and continue to operate in the City of Vancouver. Drawing on an analysis of interview data, the chapter describes artists' experiences with regulations, identifying some of the challenges associated with the current policies and planning processes. The second section identifies the strategies artists and arts administrators employ to deal with regulations in order to sustain the operations of artist-run centres and spaces in a post-industrial context of policy implementation and urban redevelopment. The contributions these facilities make to development of the cultural economy in Vancouver are identified in the third section of this chapter, while the fourth section explores artists' primary motivations for continuing their creative practices in this context. The aim of this chapter is to identify and describe the key themes that emerged from the interview data and analysis.

6.1 Experiences and Challenges with Regulations

For the purpose of this research, the founders, current and previous directors/curators, administrators, and/or primary operators of Vancouver's artist-run centres and spaces recalled their experiences with regulations and revealed a number of perceived limitations to the current policies, planning processes, and their capacities to navigate the regulatory system. This section identifies some of these challenges as they relate to artists experiences striving to achieve bylaw and regulatory compliance, before turning to how these limitations have affected the creation and operations of a selection of artist-run cultural facilities in Vancouver.

- Outdated Policies

In the experiences of some interview participants, it has been challenging to classify the contemporary artistic uses of artist-run centres within existing policies and regulatory structures. In particular, the fact that there is currently no classification in the *Zoning and Development Bylaw* for 'Artist-Run Centre' has created a number of challenges for the city's existing, non-

profit artist-run groups. Based on their experiences navigating the current regulatory system, some respondents explained:

Going to the City it was interesting because when I mentioned that we were an artist-run centre they didn't even seem to know what we were. We didn't fit any of their categories. Immediately they were going to put us in the 'Retail [Art Gallery]' category, but I said this space wouldn't be selling art. We would be displaying art for the public benefit...The real problem is that artist-run centres don't really fit within the City's scope of how spaces should be allocated. It may be a situation where some artist-run centres are classified as one thing, and others are classified as another, so they are [each] trying to navigate through the system. But I don't think they should have to. It should be clear.

I can tell the City designs their regulations based around the belief that people are producing businesses that are there to maximize profit. As a non-profit your goal is instead to maximize another type of profit – 'art profit' – a certain type of economy, not money...We are doing something completely different....They apply a lot of the similar regulations or policies that apply to capitalist as they do to non-capitalists.

The City is treating me as any other business...I might as well be a liquor store – same thing, but liquor stores print money and I'm working with artists who have very little money and am trying to make the whole thing work.

From the perspectives of these respondents, the creative components and cultural benefits of cultural spaces tend to have no significant role in how they are managed or regulated. Instead, the policies that govern the operations of cultural spaces reflect commercial uses and conventional business practices. As a result, some participants maintain the current regulations are not geared towards supporting the innovative practices of small, non-profit and independent artist-run groups. Recalling the experience of producing a temporary art project in Pigeon Park, the program director of one artist-run centre stated:

We went through the whole City licensing process and such, but it wasn't built for projects like that. It was very difficult to explain what we were doing to the City because it was actually quite benign, but when you actually put it on paper there were so many question marks.

This challenge is compounded by the idea that regulators and enforcement agents do not often consider the effects of planning and policy implementation on artists in Vancouver. In the words of one participant: "It can be really onerous to try to adhere to all the laws because the laws were not built for the projects you are doing to happen. That was never part of the regulations." With

enormous changes in urbanization and within municipal government, there is therefore the perception that contemporary cultural practices have remained peripheral to traditional policy and planning initiatives, with cultural considerations having little standing or interface within city planning departments and their management of land use and infrastructure. In the words of one participant: “The actual importance of the arts is not translated into the business goals of the Real Estate Board or anybody else”, creating an unsupportive structure of governance and framework for regulatory review and applications processing.

- Restrictive Regulations

For the purpose of this research, participants recalled their experiences with a number of regulatory issues, including: Zoning, Parking, Liquor Licensing, Building Permits, Occupancy Permits, Development Permits, and Special Occasion Licences. Within this regulatory framework, navigating the rigidity and inflexibility of the current regulatory system has proven challenging for the artists involved in developing multipurpose spaces for contemporary cultural uses. According to one respondent: “Every time you try to do anything you are dealing with people who are basically following the rules in front of them and it’s hard for them to break outside of those rules”. As such, artists must work within the confines of regulatory, hierarchical planning and decision-making frameworks, and with City officials who may not have the discretionary authority or ability to integrate cultural considerations into strategic decision-making or land use management. Another participant stated: “You might get that person who says ‘this looks like something worth doing and I’ll try to help you through this. This is what you do’ or you have someone narrowly interpreting regulations because that is what they see their job as”, suggesting that there is inconsistency in how regulations are applied in different situations. Correspondingly, when asked about the role of the City of Vancouver in supporting the operations of artist-initiated spaces some participants expressed the need for City officials use discretion in regulatory enforcement in favour of smaller, non-profit and independent arts facilities in order to catalyze and leverage a range of cultural and creative arts activity in the city:

I think the role of the City is making bylaws that are flexible enough or inclusive enough of the possibilities of art...The systems they have in place are too prohibitive for people to just do things...Vancouver always talks about wanting to lead and be this special cultural place, so it would be nice for them to develop policy that reflects the flexible and ever-changing nature of art and be forward-thinking.

If individual [City staff members] were empowered to make decisions they could have leniency in the sense that somebody wanting to operate an underground venue space and the City actually comes and looks and talks to them and says: ‘Actually, this isn’t safe and let’s try to figure this out’ instead of saying ‘Well, you need sprinklers and that is going to cost you \$75,000.’ You just can’t do anything about that.

I think if there were less prohibitive regulations, or if there was more of a forward-thinking thoughtfulness about what a vibrant city is and what it means...there are so many creative people that could probably do a lot of great work.

- Complex Governance Structure

In the range of experiences described by interview participants, working towards achieving bylaw and regulatory compliance involves coordinating the interests of artists and arts administrators with the requirements of various municipal planning departments (including Vancouver Police Department, Fire and Rescue Services, Licences and Inspections, Cultural Services, etc.). Correspondingly, some participants commented on the complexity of the regulatory system, often compounded by a perceived lack of coordination among municipal departments, as well as unexplained and lengthy delays in regulatory applications and approvals processing. It is also difficult for artists and arts administrators to comprehensively understand the regulatory requirements that apply to their particular spaces when information is fragmented between different departments. In the words of one participant:

It makes for a frustrating system, and it makes it so that you have to go through a lot of work to do anything, which probably kills a lot of people’s willingness to do that. They think: ‘Do we really want to do this in this climate? Maybe we don’t need it. Maybe people don’t really care.’

Other participants believe that regulators do not consider cultural matters to be their responsibilities, or as activities that may require an alternative approach to regulatory application and approvals processing. The perceived lack of a ‘point person’ or a more consolidated manner with which to address a range of regulatory issues were also identified as weaknesses of the regulatory system.

[The City] needs to create an outreach system [that] walks [artists] through [the regulatory system] it in a way that is comfortable. If they really want to increase the amount of arts, or increase the arts activity that is already here, then I think they need a ‘go to’ person.

On some level this speaks to a lack of effective communication among municipal departments in regards to management and operations. It also speaks to how improving the policy and planning conditions under which artist-run centres and spaces can operate has not yet garnered direct and multi-faceted attention from all municipal planning departments with a stake or impact in cultural facilities development within the City of Vancouver.

- Costly Fees for Permits and Licences

As described in Chapter 3, the City of Vancouver helps to fund major arts organizations and cultural institutions, administering long-range cultural policy and granting infrastructure programs. However, because public resources are limited, there is a recognized challenge to find alternative sources of revenue among even prominent and established venues. Many of the smaller cultural spaces included in this research are experiencing the financial pressures associated with operating in an increasingly challenging arts market and real estate environment. Due to the complexity of the regulatory system and the duration of application and approvals processes, the monetary costs of obtaining permits and licences often compound the financial difficulties involved in creating and sustaining the operations of non-profit and independent arts facilities in the City of Vancouver. In the words of one respondent: “It’s small potatoes, but when you are operating with nothing it really affects your ability to operate. In the context and a climate where there is no funding it seems, what can we do?” This leaves some venues at the hands of an unpredictable marketplace, and managed with unsupportive planning policy.

Some artists remarked that the fees are more reflective of what Vancouver’s creative industries or commercial arts facilities are able to afford, while subsidies or reduced fees are not available for individual artists or not-for-profits confronting a range of regulatory issues. Others maintain non-profit and independent arts spaces experience the effects of complex and lengthy approvals processes more severely than established commercial spaces, as the time and financial consequences of being delayed “could really kill [artistic] projects”. In a context in which philanthropic and public sector support for small-scale cultural facilities development is limited, costly fees for permits and licensing are therefore contributing to the development of a cultural economy more suitable to corporate and consumption-based cultural institutions.

- Lack of Knowledge within the Arts Community

Compounding these challenges is the limited knowledge some artists feel they have to navigate the complexity of the current regulatory system. For the purpose of this research, one participant described his experiences working with City staff to reach a common understanding about the desired and permitted uses of a production space to house a recording studio and residential units. Starting in 2009, the artist initially found it difficult to find a site in an existing zoning district that permitted both multi-residential and industrial land uses. He described initially looking for sites in C-1⁴⁶ and C-2⁴⁷ areas before learning that under the current Building Code a recording studio is considered an ‘industrial’ land use and is not permitted in combination with multi-residential units in a ‘commercial’ zoning district. Following the recommendation of a City staff member, the next phase of the planning process involved finding a suitable site in an MC-1⁴⁸ zoning district. However, it was only after returning to City Hall for a Building Permit that the artist learned that studio and multi-residential land uses could not be combined as an approved use. It has therefore been challenging to classify the desired uses of the space within existing policies and regulatory provisions. The particularities of the site also triggered a series of seismic upgrades that have taken almost two years to complete. Throughout this experience, the participant described the difficulties of learning how to work within bureaucratic structure and system of municipal decision-making. He states:

There is a lot of knowledge that I think the City expected me to know: the language of the City – the language of zoning bylaws, the language of the Building Code. Before getting into something like this you don’t know that stuff. I would guess that artists just don’t know what they don’t know.

Creating and sustaining the operations of dedicated arts facilities hence requires a great deal of savvy when it comes to navigating the political environment and complex governance structures of the City. This combination of skills often does not exist within cultural organizations or

⁴⁶ The intent of a C-1 commercial district is to provide for a small-scale convenience commercial establishments, catering typically to the needs of a local neighbourhood and consisting primarily of retail sales and certain limited service functions, and to provide for dwelling uses designed compatibly with commercial uses.

⁴⁷ The intent of a C-2 commercial district is to provide for a range of goods and services, to maintain commercial activities and personal services that require central locations to serve large neighbourhoods, and to provide for dwelling uses designed compatibly with commercial uses.

⁴⁸ The intent of MC-1 and MC-2 industrial zoning is to reinforce the mixed-use nature of this area, with residential, commercial and light industrial uses permitted. Emphasis is placed on building design that furthers compatibility among uses, and contributes to area character and pedestrian interest. The MC-2 District differs from the MC-1 District in limiting dwelling uses in areas adjacent to a heavy impact industrial zone.

among individual artists. Correspondingly, regulatory challenges may be exaggerated for those who lack the skills and experience in facilities development and management. These experiences speak to the need for clear and accessible information to guide artists and cultural organizations through the complex regulatory environment of the City.

- Lack of Information and Inadequate Communication with City Staff

While uncertainties about the regulatory requirements and procedures for undertaking particular projects persist among some members of Vancouver's arts community, this challenge has been exacerbated by a lack of communication and information service delivery from the City. Some interviewees described experiences of inconsistent communications with City staff while others identified a lack of access to clear and accessible information as the primary barriers inhibiting artists and arts organizations from navigating the maze of business licensing, zoning, and permits that form the complex regulatory environment of the City. Correspondingly, the challenges of determining regulatory requirements and navigating the terms and conditions stipulated in policies can lead to a confusing and time consuming process for all those involved. One respondent stated: "Often the challenge is finding out what you actually need to do the project because it's often not clear, even after talking to everyone at City Hall what is actually required for this project to go forward". A lack of transparency has consequently created uncertainties about what the application process will involve, what the steps will be, what approvals are required, and how the approvals process will unfold:

You have to really dig for any information you want...If you can figure out who to call you might get some information, but I really think you are on your own...As an artist who is trying to create a show and who is also trying to make art and is probably working a bunch of jobs to pay for that is able to figure all of that out.

I got really, seriously nervous to go to the City because I would go there and bombshells would be dropped on you... There were times when I thought we just had to walk away and lose money on this place and just sell it because it was almost like we wouldn't be able to do all the stuff that they [the City] wanted.

From these perspectives, a perceived lack of information and communications City staff members affect artist-run centres and spaces as artists must address the current deficit in skills and experience in facility development and management without assistance from planning experts well-versed in regulatory requirements and applications processing.

- Inconsistency in Regulatory Enforcement

Reflecting discussions about how policies shape the context for the cultural economy in cities, some interviewees identified ways in which regulations influence the context for cultural planning and cultural facilities development in Vancouver; describing perceived inconsistencies in regulatory enforcement among various kinds of cultural spaces in the city. In the words of one participant:

There is no impetus and there is no reason for anybody at City Hall to make the process better for artists, and so they don't. If you are in the film industry and you want to make a film out there, there is a process to facilitate you getting out there on that road. That can be really important to make that happen, but there is nothing like that here for visual arts or for any type of arts. There is no impetus for them because the impetus is on taxes. They can make a lot of money on taxes on the film industry, so they have a process for dealing with the film industry. There is no process for arts.

This commentary supports the assumption that policies and planning initiatives enable the kinds of key industries and commercial arts activities that provide important economic stimulus to cities and regions. Among some respondents, there is also the perception that the City of Vancouver has adopted a policy approach that favours certain cultural events and activities, and appears reluctant to support alternative arts projects that may have unpredictable impacts on residential communities:

We actually applied to the City to have a special permit to do a show in front of a gallery....They said no because it didn't suit the cultural mandate of the City. A week later, they blocked the whole street off for a movie...That is pretty straightforward. If you can't pay us a lot of money or fit within our mandate we just don't care about you, which is pretty disheartening when are trying to do things around the city.

It seems like a gesture to squash anything grassroots or culture outside of an economic model of making it, which I think reflects a larger short-sighted vision of what art and creativity are and can be. Actually, I think it represents a big fear of what that could be.

From these perspectives, discretionary authority is applied in favour of highly organized, spectacle-oriented, and socially-approved activities while smaller arts collectives and independent galleries have greater difficulty acquiring the necessary approvals for particular projects or events. Perceived inconsistencies in the application of regulations also apply to some

not-for-profit arts organizations whose activities appear to reflect the mandate of cultural policy in Vancouver. One respondent explained:

They [the City] are going to accommodate the people they fund because they kind of have to. That is the best think that you have going for you. If you are actually running and independent space you are probably going to run into more hassle and more regulation.

In addition to enabling the creation and operation of certain kinds of cultural spaces in Vancouver, other respondents remarked that given the complexity of the current regulatory system, larger organizations have a far easier time applying regulations to their intended activities as they have the knowledge and resources required to understand and navigate a complex regulatory system and all of its components.

I think there are some things that are probably well-funded, like large-scale art galleries [because] they have set up a whole structure to deal with the City...I think they have a team in place. It's not like one artist trying to rent, lease, buy a space and turn it into what they want to turn it into...I'm sure they have a City consultant, an architect, an engineer and everyone you need. For the average artist how do you assemble that team? Probably your whole budget would go just to that team before you even buy the 2x4 piece of drywall to do what you wanted to do.

From this perspective, regulations can help to perpetuate the conditions under which commercial arts facilities and large-scale cultural institutions can sustain operations in Vancouver, while smaller, not-for-profit and independent creative production spaces experience the added challenges associated with navigating political processes without the necessary knowledge, experience, or expert guidance. These comments spark concerning questions about the City's ability to retain a creative and innovative workforce given current regulatory provisions, procedures, and the suitability of the current political and policy contexts, while also speaking to the ways in which regulations influence the development of the cultural economy in Vancouver.

- Unpredictability

Some participants' shared their perception that smaller, artist-run centres and spaces operate in a "grey area" of municipal policy and planning, in which the unpredictability of regulatory enforcement is an added challenge associated with creating and operating an artist-run centre or independent arts facility in the city. One respondent stated: "They [the City] don't come down on you for all those things that they could come down on your for, so you are left in this kind of

grey area where you don't really know what you're status is". Some respondents expressed that it is only through the selective enforcement of regulations that artists and arts administrators can continue to pursue their creative practices on the margins of defined land uses and institutionalized arts activities:

If there was ever a point where all City regulations were enforced, the whole city would stop. It's only through selective use of the laws that the city happens at all. Certain laws are ignored in certain instances so the city can run. Otherwise there would be gridlock all the time where nobody could move.

If they [the regulations] were to be more consistently [applied] that would be horrible. The gaps are what allow us to function in the first place. Also, it would get so expensive to do things... You wouldn't find someone who would be able to do \$2 million worth of renovations to occupy a space and do videos, exhibitions, readings, and video broadcasting. If you look at the way that artist centres spend money on the whole, and the ways more conventional institutions spend money, a civic art gallery can spend a minimum of ten times more mounting an exhibition... So bringing everything into some sort of fabric of legitimacy is either a way of making everything more expensive or shutting some people out.

While the consistent enforcement of regulations may provide some stability in tenure for artist-run facilities operating in a challenging real estate and development context, some suggest that it may reduce some of the inherent flexibility allowed through the current system. On the other hand, many participants in this research expressed that perceived unpredictability in regulatory enforcement places the continued operations of cultural spaces in precarious positions for if and when discretionary development control and permitting systems are applied. In the words of one respondent:

On the one hand, I appreciate that it is a very difficult thing to actually be a hands-on builder of artists and culture, as opposed to arts and culture allowing it to do its thing... I recognize that, but I also think that as far as the regulations go [helping] artists overcome those hurdles [and] making it easier for them and making it affordable for them would make a huge difference. I don't think we should be planting seeds and growing artists. I think they [the City] should be making it easier and making the tools and regulations more accessible than they are – not making it impossible to find anything.

From this perspective, there is a role for urban policy and planning to play in creating a supportive environment for arts, culture, and creativity in Vancouver – “helping to protect artists

and artists spaces in the face of large development”, without inhibiting their ability to expand and diversify their programming and operations as part of inherently dynamic nature of arts and cultural practice.

- Limited Progress Towards Significant Change

In light of long range plans and planning initiatives such as the *Central Area Plan*, as well as the creation and implementation of the *Culture Plan* and the *Cultural Facilities Priorities Plan*, some respondents believe that progress is being made towards recognizing the value of arts, culture, and creative activity in Vancouver. However, regulations continue to inhibit the extent which municipal Councillors, Cultural Services staff, and City officials can support innovative arts activity in the city. Some participants expressed that the planners and policy officials responsible for developing and enforcing regulations seem to lack understanding or appreciation for the impacts of regulations on the creation and operation of small, non-profit and independent arts facilities in the city. Reflecting these sentiments, participants stated:

There is more of an appreciation now for what artist-run centres do than there was 25 years ago...There is an attempt now to deal with long-standing problems that nobody wanted to deal with before...The arts could engage more if there were ways that make it easier for them to engage, but it's not that easy.

I think there are more people in the City's culture structure that get us than there were fifteen years ago. They knew about us then, but they didn't really seem to see the importance of what we did. That part of the structure is a lot more responsive to the community needs now, but when you start talking to the rest of the City it's a bit of a gamble.

While the City of Vancouver has developed a number of progressive policies and cultural plans to improve the conditions under which cultural spaces can thrive and support a diverse range of creative activity in the city, a number of regulatory challenges continue to influence the context under which cultural facilities develop and continue to operate. Having identified some of the perceived limitations to the City of Vancouver's current regulatory system, the following section of this chapter identifies the effects of regulations on the creation, operations, management and programming of the non-profit, artist-run centres and independent arts spaces identified as case studies for the purpose of this research.

6.2 Effects of Regulations on Artist-Run Facilities

- Creating and Using Dedicated Space

The conditions under which artist-run centres and independent arts organizations operate are influenced by the development market and the need for space. In the context of Vancouver's rising real estate values, constraints on available land and adaptable spaces for artistic uses present enormous challenges for the arts and culture community. Locating in a building, rented or owned, immerses artists into commercial real estate markets at vulnerable points in their careers. This research reveals that the difficulties involved in achieving bylaw and regulatory compliance complicates the ability for some artists and cultural workers to create and sustain the operations of dedicated cultural spaces in the city. Correspondingly, the current policy, planning, and development context has compelled artists to develop alternative ways of creating and using space for the production and presentation of contemporary art in Vancouver.

Developed in response to the real estate and regulatory challenges associated with establishing permanent indoor exhibition spaces in Vancouver, Gallery D formed as a non-profit, artist-run society with a mandate to create a unique context for contemporary art projects in Vancouver. Functioning without a permanent location, projects range in subject, format, location, and duration; taking place in offices, galleries, apartments, live/work studio spaces, and on the street. Aimed at accidental audiences, the goal is to expand existing conventions for presenting contemporary artwork, while avoiding some of the regulatory challenges inherent in operating from a fixed location. The idea came from founder's own experiences with municipal regulations and the eventual closure of an artist-run collective he co-managed in 2005. Newer artist-initiated spaces have developed a similar operations model to avoid the prospect of encountering regulatory issues all together. One respondent explained:

We are trying to build this in such a way that we don't need to be relying on any part of the City...In a sense, what we need to do in order to make this sustainable is to put more capital into the space in order to make it more functional outside of any City regulations. Instead of being welcomed by the City we have to actually had to spend our own money to make it so that we're circumventing them.

In this way, regulations have compelled some artists to develop alternative methods for exhibiting contemporary artwork in Vancouver, considering the prospect of operating in

impermanent locations and changing the nature of their spatial occupations in order to circumnavigate municipal planning and regulatory approvals processes. By being forced to develop innovative solutions, one respondent remarked: “Maybe this is a gift that will radicalize art-making in Vancouver again,” suggesting that due to the dynamic nature of the arts and cultural sector, municipal policies may encourage entrepreneurial activity in a challenging context of policy implementation and urban redevelopment. Today, Gallery D continues to experiment with site-specific platforms and benefits from its flexible programming. However, the application of this operations model has generated unique limitations for the arts organization. The founder of Gallery D explains:

We created [Gallery D] to avoid space, planning, [and] regulation issues all together by doing what we want to do wherever we want to do it. The problem is we’re finding that it is hard to find spaces. We have done a few projects, but not as much as we had originally hoped to do because it is hard. If you already have a space it is much easier to put up an exhibition and put art on the wall, but if you don’t have a space and you are trying to find a different space for every project. Not only that, but you want to make it site specific. You want to make the space somehow part of the work...We have [also] found it hard to get grants too because you usually have to plan six months to a year in advance. Sometimes because of what we are doing sometimes we get an opportunity and usually the window is one month...The disadvantage is also the momentum I would say. If you have a fixed space you constantly have momentum going. You have a new exhibition every month typically and for every exhibition you have a least one event or an opening...You get into this momentum of programming year round, constantly...That momentum can feed a very committed audience. With [Gallery D] it is hard to build that momentum.

Correspondingly, this alternative mode of cultural production and exhibition may not be viable for all artist-run groups in Vancouver as the prospect of operating from unfixed locations with semi-permanent art practices has introduced its own limitations for sustainable operations in a context where the associated pressures of lack of space, lack of government funding, and limited public sector support intensify the difficulties involved in creating and managing different forms of arts space.

- ‘Underground’ Operations

In addition to encouraging artists to think creatively about developing alternative kinds of cultural ventures in the city, a number of participants described a propensity towards operating spaces without permits and licences – contributing to emergence and growth of an underground arts scene in Vancouver. While some respondents explained that creative spaces simply ‘fly under the radar’ of City inspectors provided there is no cause for complaint, others maintain that operating without approvals not only places the sustainable operations of these spaces in precarious positions for if and when regulations are enforced, but it also contributes to potentially unsafe circumstances for the venue operators, artists, and spectators involved in their programming and operations. When asked about the effects of regulations on artist-run initiatives in Vancouver, one interviewee explained:

The biggest thing that happens is events end up happening underground – without licences, without proper regulations, in dangerous situations where they will cram 150 kids into some abandoned office building.... That is because there is nowhere legal for them to throw something like that, therefore everything is underground...That is because instead of making it above ground they [the City] make it impossible to [be] above ground.

Other respondents describe similar restrictions for newer artist-run initiatives in the city, with the high costs and restrictive policies concerning liquor licensing deterring some arts facilities from obtaining the necessary approvals and contributing to the creation of a ‘secretive’ culture of underground arts spaces.

Everything being underground doesn’t allow people who are simply walking by too see something that is happening. There is also, because of the necessity to be secretive, there is a closeness that happens. There is no way to get in.

The sheer lack of accessibility because of sheer necessity creates a context where a lot of things that could be so amazing and powerful and meaningful can’t happen. So many young people can’t [experience culture] because they can’t go to the places where art and music is happening.

I think if people could see what was going on and that these places exist they would respond positively to what they could discover.

From these perspectives, the current regulatory policies and systems which govern the use and safety of cultural spaces have created a detrimental context for cultural and creative arts activity

in Vancouver; preventing artists, patrons, and the public from accessing the full range of alternative cultural spaces in the city and perpetuating a lack of understanding about their activities and contributions to the cultural and creative vitality of the city.

- Programming and Operations

Among some interviewees, there is the perception that some politicians, planners, and members of the public undervalue the contributions artist-run centres and independent arts spaces make to local artists, communities, and to the City of Vancouver. In response to changing urban social and economic conditions, several artist-run and not-for-profit galleries are considering expansion plans in order to accommodate more ambitious programming goals. However, the prospect of relating these spaces to broader publics has been fraught with a number of challenges and frustrations involving municipal regulations. Some spaces included in this research have encountered a number of regulatory issues when considering the prospect of expanding the programming and operations into the public realm. One participant stated:

There is always pressure for artist-run centres and for galleries to get out of the gallery and go out on the street, but as soon as you go out on the street that street is so regulated in terms of what you can do there. Most of the problems we have had with regulations are about trying to move outside our space. We pretty much can do whatever we want in here, but as soon as you try to go something outside that door the regulatory systems come in. We have done some pretty excessive things over the years, so we have tested those limits in lots of ways.

Others feel that extending their operations would only increase the number and extent of regulations they would have to address in order to carry out their activities as desired:

We are trying to be accessible, but the Vancouver Art Gallery is going to get picked on a lot more because they are so big. If this organization has a million dollar operating budget and ten employees and a bigger space, the assumption is that we are going to have to fill a lot more of the licensing requirements than we do now just because we would have that much more of a presence.

Correspondingly, the complexities of the regulatory system, and the duration and monetary costs associated with achieving regulatory compliance, have dissuaded some artists and artist-run organizations from pursuing particular projects.

[We have] never [had] a music component [and] there has never been an outside component...because it adds all sorts of headaches...A lot of the processes just ends up losing us money and just end up making it harder for our event to function by costing us money or losing us money.

While continuing to expand the activities of cultural facilities has hence become an important part of sustaining their operations and creating opportunities for the public to see, experience, and engage in contemporary art work, regulations currently limit the ease with which permits and licences can be obtained. As some respondents explained, this can also lead to the operations of facilities that are not woven into the fabric of their neighbourhoods:

It [the imposition of regulations] tends to make the arts community a bit of a fortress. We are not taking things out on the street because we don't have the resources to do that. To a lot of the community it is: 'What does that space do? I never see anybody there. I don't know what is going on there. It just adds to the distrust in some ways.

In these ways, regulations make it difficult for artist-run organizations to develop programming that reflects the dynamic nature of their cultural practices, as well as reach new audiences, engage the public, and influence public perceptions about their role and contributions within the creative city.

- Homogenization of Arts in the City

According to the some respondents of this research, concentrating cultural spaces in certain areas of Vancouver has produced a number of contradictory and unfavourable outcomes for artist-run organizations. In particular, the location of many not-for-profit and independent cultural facilities in Vancouver's eastside and expanding downtown core (Figure 3) has left the artists who manage their programming and activities vulnerable to the pressures of gentrification and displacement common to creative cities. There is also the perception that the purposeful crafting of cultural districts by politicians and planners is exacerbating challenging conditions for the city's existing non-profit and independent arts groups by facilitating the development of a corporate and commercial context for cultural consumption and creativity in Vancouver. Referencing policy-accelerated processes of development on Granville Island, one interview respondent stated:

Originally, this island was meant to subsidize artists so that they could have space to make their work and present their work and now it has turned into a giant gift shop. I

would say that a lot of the artist studios aren't really making and presenting art in a very challenging or experimental way. They are just selling projects to tourists in order to make money.

From this perspective, the application of municipal policies has enabled the development of large-scale, flagship cultural districts while certain groups, including those with few resources and alternative forms of creative cultures, become marginalized within prevailing mainstream opportunities or incorporated into the corporate structures of the economy. The fact that there is currently no separate licensing system for non-profit artist-run spaces has perpetuated these conditions. To rectify all bylaw and non-compliance issues, artist-run organizations are in some cases obliged to meet the approved uses by assuming the activities of retail art galleries or commercial arts spaces. One respondent explained:

If you want to have an artist-run centre where you can hold events frequently you really need a space that is zoned or can be used for the public assembly of people. A lot of artist-run centres just end up using retail spaces. They are not selling art. They are there to have people come and gather and experience art. Yet, they are occupying these retail spaces. I think the City needs to recognize that artist-run centres are their own category of space. They are not retail spaces and they cannot be restricted by the policies [that] are in place for retail spaces.

Correspondingly, regulations are helping to shape the context in which non-profit and independent arts spaces operate by forcing them to modify their programming and operations in order to reflect existing land uses, or work outside of the regulatory structure to carry out non-commercial arts activities as desired. The fact that there is currently no classification in the Zoning and Development Bylaw for artist-run centre perpetuates these challenges by making it difficult for some artist-run organizations to obtain subsequently permits, licences and approvals depending on the nature of their projects and/or intended operations.

- Restricts Creativity

Among some members of Vancouver's arts community there is the perception that municipal planning and policy implementation restrict the potential for creativity in the city, as the prospect of developing and managing contemporary arts and cultural spaces is fraught with a number of challenges related to the regulatory system. Participants stated:

A lot of artists have a sense of having to do things secretly or underground to do things that are in the least bit spontaneous or go outside of these very expected ways of showing or making art...There are so many ways of articulating what providing space for people to think creatively can achieve in a larger way – even a space where people can connect with one another and share ideas and potentially create an idea together that can have larger implications. There isn't a sense of openness or the ability to try something new because maybe it is too risky. I think that affects how art can be seen because it stops it from even happening.

Vancouver is a very regulated space when it comes to planning or even the kind of work that I do...They need to let communities grow on their own a little bit. It creates a very homogenized, uniform place where the galleries are in a certain area and all the buildings have the same coloured glass. That doesn't allow for creativity. It doesn't allow for spaces to grow on their own and run their own course, or for newer spaces to establish themselves.

From these perspectives, the regulatory system is not conducive to supporting entrepreneurship, experimentation or innovation as contemporary cultural practices must reflect defined land uses and institutionalized arts activities to effectively achieve bylaw and regulatory compliance without having to deal with a number of competing challenges and frustrations.

The complexity of the current regulatory system, and the time and monetary costs required to obtain permits and licences also limits the amount of time and energy artists have to focus on their creative pursuits, individual art practices, and forms of cultural production. One respondent expressed being so consumed in the process of obtaining the permits and licences required to complete the construction and renovation of his facility that was unable to dedicate time to his own artistry. He states:

It became a full-time job too dealing with the City. In 2011, which was the big year with the City, I did two records. Normally I do seven or eight because two things happened: A lot of my time was literally spent just keeping up with everybody – bugging everyone just to keep moving on stuff. Otherwise it gets stalled. The other part of the time I was literally too stressed out to work...There were times I just couldn't work. Then there were other times when I was told I would have my permit...and the permit wouldn't come and there would be a month where [nothing could move forward]. So when you have no timeline like that I couldn't book a project.

- Earned Revenue

In addition to inhibiting the potential for artist-run facilities to reach new audiences by expanding their programming and operations, restrictive regulations have limited the ability for some organizations to host the kinds of live performances and activities that may help to offset some of the rising costs associated with creating and sustaining the operations of dedicated cultural facilities in an increasingly challenging arts market. For some spaces, limited public sector support has compelled cultural facilities to find alternative sources of earned revenue, while restrictive liquor laws limit the prospect of developing programming that will allow artist-run centres to diversify sources of revenue. In this way, regulations compound the fiscal pressures associated with working with limited public funding and support from the philanthropic sector.

There are very stringent liquor laws that limit the amount of fundraising we can do in that capacity, and our ability to rent the space. In this location now, we get noise complaints even at our openings. [We] have already limited the number of events we throw. We do run against these sorts of issues that limit the amount of funds we can raise.

- Perceptions (Valued and Valuable)

Artists' experiences with municipal regulations have also influenced their opinions of the degree to which the City of Vancouver values and supports their contributions to creative vitality and civic life. One respondent stated: "I think anyone with more money is deemed to be more valuable", suggesting that regulatory enforcement has enabled commercial arts activity while inhibiting non-profit and independent arts spaces from creating or sustaining their operations in Vancouver. Regulations have therefore contributed to the perception that Vancouver is an unsupportive and unviable city for artists to live and work. In the words of one respondent: "Vancouver isn't very artist-friendly...There is a distrust among the people in power about what culture is and what culture can do and what good it is. That is what I sense". Consequently, some respondents emphasized the need for artists and non-profit cultural organizations to confidently communicate their needs and the socio-cultural significances of their activities to government staff and agencies in order to ensure that City staff understand and can assist them in their operations.

- (Mis) Trust

Although there is a need for communications to improve policy support and coordination, the current regulatory structure and system of municipal decision-making have contributed to feelings of mistrust and skepticism regarding Council's ability to support a multifaceted and diverse arts and culture community through policy and planning in Vancouver. When asked how the relationship between the City and artists has evolved since the inception of artist-run centres, some interview respondents stated:

There is a strong feeling in the arts community that the City is against us, which makes it really difficult there to be a dialogue even between artists and the City. They 'other' each other. It feels like we're 'othered' by the City and we 'other' the City as this entity that is crushing down upon us, even though a lot of us do know Councillors personally and have discussions with them. We understand the subtleties of their jobs and how they have to balance things in certain directions. As a general feeling, most artists hate the City.

There are amazing people at the City that know how to facilitate and do things to make transformational projects happen, but it is going to take a lot on both sides. Artists are timid now. They don't really want to talk to the City because why would they put their energy into something that they feel they can't trust? They tell you one thing but do whatever they want and that is becoming increasingly apparent.

I think most of us would be weary of regulatory structures or governments being helpful because really they don't seem to get it.

Some interview participants expressed that creating and implementing policies that reflect and support the operations of non-profit and independent arts facilities may improve the relationships between artists and elected officials by demonstrating the City of Vancouver's commitment to taking progressive action towards improving the conditions under which a range of arts facilities can develop and continue to operate. Further, there is the perception that developing a political framework that effectively supports arts organizations can generate public interest in supporting alternative art practices. In the words of one respondent: "I think the benefit is that residents and visitors of Vancouver would maybe understand what an artist-run centre is and what its role is". In turn, relationships among City staff, members of the public, and the cultural community can create support systems that allow artist-run organizations sustain healthy operations in a continually evolving and challenging urban context.

In light of the challenges and frustrations identified by interview participants, research findings reveal that regulations continue to have significant impacts on the creation and operations of artist-run centres and independent arts spaces in Vancouver. In particular, the policies which govern the use and safety of cultural spaces have impacted the ways in which artists created and use space, define their management structure and develop their programming and activities. In addition, the regulatory system as influenced their cultural and artistic practices, as well as their perceptions of the extent to which the City of Vancouver values and supports their contributions to the cultural and creative vitality of the city. These outcomes are compounded for artist-run centres and independent arts facilities who lack to funding and resources to address the range of regulatory challenges that can arise in the management and operations of an arts facility. Correspondingly, members of the arts and cultural community have developed a number of strategies for addressing regulations: forming partnerships, modifying their management practices, and developing the capacity to deal with regulatory issues as they arise. The following section of this chapter identifies the strategies employed by the artists and arts administrators interviewed for the purpose of this research.

6.3 Strategies to Address Regulatory Issues

- Communications with City staff

In the experiences of some artists and arts administrators, communicating with City staff has been beneficial for learning about the regulatory approvals processes and requirements for operating their spaces. In particular, the level of commitment shown by Cultural Services in enabling cultural facilities development, including helping cultural venues achieve regulatory compliance, has helped some artists maintain open communications with individuals well-versed in municipal policies and planning processes. From their experiences, obtaining helpful advice and regular updates concerning the status of one's application have been an important part of dealing with the complexity of the current regulatory system and all of its components. However, few artists interviewed for the purpose of this research identified working with City staff to navigate the regulatory issues that have arisen in the management and operations of their spaces. One respondent claimed that they were unaware the Cultural Services department existed. Others insisted that because cultural planners work within the confines of regulatory, hierarchical

planning and decision-making frameworks, Cultural Services staff do not have the capacity to improve the regulatory conditions under which cultural spaces can operate. Some stated:

We [have] realize[d] that we [cannot] depend on the Cultural Services department to help us navigate through City Hall. There is a hierarchy to the departments of City Hall and Cultural Services is barely on it. If you have one department and government and the whole City Hall coming down on you there is only so much help you can get.

Sure we have a Cultural Services department, but they can't really do anything. Again, its just lip service. That is what it feels like. You can go to Cultural Services and they can tell you how to navigate everything, but you are just going to get shut down by every other department, so what is the point? I feel like if the Cultural Services department was actually empowered to do something that would be a huge step in the right direction.

Correspondingly, the support and services provided by cultural planners are limited by their perceived inability to integrate cultural considerations into regulatory policies or the priorities of other municipal departments. Instead, participants who have turned to the City of Vancouver for information or guidance have built business relations with City Councillors and staff members in the licensing, permitting, or building departments of City Hall. From their perspectives, it is not enough to know about the regulatory requirements for operating a cultural venue in Vancouver. To manage the current system requires identifying the appropriate experts and forming business relations with those who have the discretionary authority to initiate and complete regulatory applications and approvals processes. Participants also noted that these connections and support networks are not available to all artists involved in cultural facilities development, identifying the need for artists and arts administrators to employ various other strategies to navigate complex governance structures in order to sustain the operations of non-profit and independent arts spaces in the city.

- Networking within the Arts and Cultural Community

Understanding the regulatory requirements for operating an artist-run gallery is especially challenging for those who have previously never managed a cultural facility. To achieve regulatory compliance, the Directors/Curators of some of Vancouver's artist-run centres and spaces have turned to members of Vancouver's cultural community for support and information. One participant explained that when first in contact with City Hall, the four co-founders of one

artist-initiated space had no knowledge of how to proceed with the project. She claims that it was only by working with the help of their landlord and the owners of other entertainment venues in Vancouver that they were able to work with City staff to open the facility. Although few artist-run gallery spaces in Vancouver are similar in terms of size and circumstance, existing relationships between artists, arts administrators, and various members of the arts and cultural community are vital in their ability to obtain information regarding unfamiliar regulations and review processes.

- Commercialization

The networks that artists have formed for advice and information have also grown to include new sources of support and expert resources. Originating from the desire to separate the artistic (or creative) from the economic, the original purpose of artist-run centres was to provide a space of critique outside of the commercial art market. However, some of the artist-initiated projects included in this research have adopted commercial practices to address regulatory issues – reaching out to corporate sponsors and private real estate developers to secure space and deal with the complexities involved in navigating municipal policy and planning systems. This has proven to be critical during a time of declining public sector support. Originally conceived of as a modest show created by three artists needing a platform to display their own alternative artworks, Gallery K, for example, has grown over the last ten years to become one of the largest single-night art events in Western Canada. In 2010, the organization received over one thousand artists' submissions from over two hundred cities around the world and attracted more than seven thousand attendees. The organizers receive public sector support from the Emerging Arts Foundation, a federal non-profit agency with charitable status, but have recently partnered with corporate sponsors and private real estate developers in order to continue to expand in size. Last year marked a particularly important period of expansion for Gallery K when it opened its first commercial art gallery in a multipurpose commercial cultural space in Vancouver. According to the former Executive Director, these partnerships have been critical in Gallery K's ability to draw from the knowledge and resources of local business professionals. He states:

The corporate connections we had [was] (a) the only way the show happened at the level that it did the past two years, and (b) they were really good partners. Yes, they gave us money and resources, but they also offered us support. They offered us resources like their marketing resources or legal resources...I think that people underestimate what is possible

with the right corporate partners even helping artists navigate that frame of thinking, because I don't think it is a frame of thinking that anyone is very comfortable with. It's always an uncomfortable conversation when we say we are sponsored by [a national corporation], [but] if this makes the show happen then yay!

Indicative of a growing pattern towards commercialization and entrepreneurialism, these trends signal a shift in the mandate of artist-run culture – redefining forms of collaboration and collectivity among artists, real estate developers, and the commercial art market. Some artist-run centres have negotiated with developers to purchase permanent facilities in Vancouver – bypassing some municipal planning and regulatory approvals processes altogether, while others have converted portions of their galleries into private studio facilities in an effort to keep their organizations afloat. For example, Gallery F continues to be a predominantly publically-funded artist-run space; however, to sustain their operations in the developing context of Mount Pleasant, the organization rents studio space to artists at affordable rates. These experiences illustrate the evolution of artist-run culture in Vancouver, as regulations perpetuate a transition towards semi-private and commercialized arts practices.

- Professionalization in Management

While artist-run centres began as informal collectives providing artists with administrative control over the management and operations of dedicated cultural spaces, a growing shift in the structure of these organizations reveals that professional curatorial practices, formerly the specialized domains of museums and public art galleries, have become an essential aspect of their management and operations. Some of the artist-run centres included in this research are now managed by professional directors or curators – as often demanded by the public funding agencies they rely on for financial support. However, research reveals that this transition is also necessary to draw from the professional skills and business savvy of those professionals who are able to strategize and negotiate the complexities of current regulatory system, especially if one desires to succeed within it.

[The system] requires an extremely knowledgeable person... People who want to start an art gallery should equip themselves with more business skills. I have had people come to me and say 'I want to start an art gallery' and I say 'first you should figure out how to navigate the administrative systems that are out there.' People need the experience it takes to get that business understanding. There is obviously a gap in knowledge between artists and that.

It seems like the restrictions are so severe you can't even figure out what they are. If [this organization] didn't have somebody like me who is actually a business person first...I don't know how you would figure that stuff out as an artist. I think that is very, very difficult [to get] through all this crazy paperwork and everything.

Some artist-run centres have also drawn on professional expertise from within their organization, seeking guidance from non-artist members of their Board of Directors to manage the legal requirements of a non-profit society and any regulatory issues that arise in the management of their spaces and cultural activities. Others have considered recruiting brand managers and marketing professionals to develop the reputation capital. To sustain their operations, some artist-run centres are therefore transitioning from spaces run by exclusively by artists to galleries that are managed by professionals proficient in municipal planning and decision-making frameworks. Some respondents interviewed for the purpose of this research feel that this administrative structure provides artist-run organizations with the knowledge, resources, and skills necessary to navigate City bureaucracy successfully, while others expressed apprehension about its effects on integrity artist-run culture. The co-founders of two artist-run cultural facilities in Vancouver stated:

The artist-run centre model of a gallery is one that has been really important for the development of the arts in Vancouver and some of the original artist-run centres...have become institutions in their own right. [For] new spaces that open up there is a lot of pressure for them to become bureaucratic in the same way...which is not viable for everyone to do. We don't want to necessarily have to deal with having a bureaucratic structure, like a Board...It would be good if there could be [an] alternative model.

[Artist-run centres have] had to make themselves look like a commercial-type gallery. It [has] killed the vibe so to speak. We [want to] stay with the old, grassroots approach to artist-run centre...Because we are not funded we can basically pick and choose shows and we keep our own parameters. We are very self-governed...At the same time, we want to have a space that is open to everyone.

These comments speak a desire to keep artists at the helm of centre management and operations, raising important questions about the ability for independent arts facilities to address regulations and sustain their operations without the professional support and business skills that some artist-run centres find essential in dealing with municipal policies and planning processes. One

important question in this discussion is whether professional curatorial practices might compromise the integrity of artist-run culture, or whether a more astute approach to administration is necessary to sustain their operations amid higher-profile commercial galleries in the continually evolving and competitive context of Vancouver.

- Seek Professional Expertise

Due to the complexity of the current regulatory system, artists who possess the financial resources have also hired expert consultants to champion the process of achieving bylaw and regulatory compliance. One participant sought expert advice from a project manager to complete interior renovations for a multipurpose arts venue, drawing on their relations with architects and City staff members to meet the stipulations requested by local inspectors. He states:

The process is such where it is hard to navigate on your own successfully. Some of the regulatory requirements if you are not a drafts person, if you are not an architect, you basically have to go to architect school because you have to be very organized as an artist...I have a business degree and am a fairly analytical artist. For the average, true, creative artist it would be incredibly difficult to do. You almost need these organized people who know how to do it or have a big vision that they can sell. Maybe you need sponsors because it is tricky. What does the unsuccessful artist do if they want to learn how to be a successful artist and they are not making money yet?

The ability to identify consultants and to seek advice from experts well-versed in regulations is therefore critical in some artists' abilities to navigate the complexity of the current regulatory system. However, other interviewees noted that this strategy is limited by having to work with management professionals who may not understand or appreciate all aspects of their operations. In the words of one participant: "We shovel so much money into consultants who we have to educate as to what our needs are that the program is extremely wasteful...It is underlying this assumption that there is a level of legitimacy that everyone has to grow towards".

- Previous Experience

While some artist-run organizations rely on expert guidance to deal with a range of regulatory issues, interview participants note that these resources are not available to all artists and arts administrators managing non-profit and independent cultural production and exhibition

spaces in Vancouver. Correspondingly, some maintain that it is only through direct experience that artists acquire the knowledge, tools, and skills they need to work within municipal planning and decision-making frameworks. From this perspective, there is a role for the cultural community to play in seeking and building their knowledge of regulations. At the same time, a lack of information and transparency contributes to some uncertainty about what the regulatory application process will involve, what the steps will be, what approvals are required, and how the process will unfold. Further, the difficulties associated with finding relevant information online often makes researching the regulations that apply to a particular project a time-consuming and challenging endeavour for the artists involved, many of whom would prefer to focus on pursuing their artistic/creative practices. Some interview participants also noted that the amount of time it takes to obtain permits and licences restricts their ability to develop and host events or exhibitions on short-notice – a necessary part of developing and sustaining their operations in a growing and increasingly competitive urban context. In turn, building or expanding knowledge of municipal regulations is described as a daunting and difficult task that can impact artist-run centres and independent cultural spaces over the long-term.

- Bypass Regulatory Application and Approvals Processes

While some artist-run centres and spaces have modified their programming, operations, and management models to address regulatory issues, others have chosen to operate by disregarding regulatory requirements or the potential for regulatory enforcement. Some interviewees note, however, that working towards achieving regulatory compliance is essential to the future of artist-run galleries in Vancouver given the pressures of urban growth and change influencing the context in which they struggle to create and sustain their operations.

If you just take over a space [and] you get caught you can just break your lease and leave. It's like no big deal. But when you buy a place and when you spend all of your savings fixing it up...I wanted peace of mind. I own this place. I'm staying here. It's my livelihood. I can't have someone take it away randomly if something happens.

The legitimacy [of the regulatory process] is pretty wonderful because it's not just legitimacy for [this space], but it legitimizes all sorts of artists living in all sorts of different zones in the City...It helps them do [their work] and it makes the creative city happen.

From these perspectives, regulations can enable cultural facilities development while helping to support stability of tenure in existing locations. In this way, working towards achieving bylaw and regulatory compliance may help to guard against the pressures of gentrification and displacement common to creative cities, including Vancouver. Furthermore, there is a belief that formally recognizing the activities of artist-run centres and spaces within policy would create the conditions under which their activities and contributions to the cultural and creative vitality of Vancouver would be better understood and appreciated among politicians, planners, and the public. In the words of one respondent:

There needs to be some way for artist-run centres to occupy space and not feel the need to sell because the whole concept of artist-run centre is not to sell, but just to provide a gathering space for people to experience. If there was [a] zoning [category] that would make it a lot easier...Artist-run centres would no longer have to compete with retailers, with retail businesses, to find space. There could be space allocated specifically for artist-run centres and the rent would reflect what those spaces could reasonably afford...I think the benefit is that residents and visitors of Vancouver would maybe understand what an artist-run centre is and what its role is. It's a space where you go to experience art and the art is not for sale. It's not commodified. It's there for you and others to experience. If you are just walking into a retail space it's going to feel very different that if you are walking into a space that is meant to be an artist-run centre and is zoned as such.

Improving the policies and processes by which artist-run centres and spaces can work towards achieving bylaw and regulatory compliance may therefore help to protect the history and ideological authenticity of artist-run culture by preventing these kinds of cultural spaces from being converted, replaced, or displaced by commercial art galleries and consumption-based cultural production and exhibition spaces. Some interview participants noted that their experiences navigating municipal planning processes improved as City staff members became aware of their activities and contributions to the economic, social, and cultural vitality of Vancouver. One participant stated:

It's a lot easier because we have reputation in town now. We wound up being a space that worked with not only the visual arts community. We have had histories working with the theatre community around the Fringe Festival and around doing big projects such as Live. We also worked a lot with the jazz community and the music community, so we tend to have a profile that is beyond what most arts centres have just because of that. When we call City Hall now they have usually heard of us which helps.

From this perspective, legitimating the programming and operations of cultural facilities within institutionalized structures and systems of decision-making influences the ease with which artist-run centres and informal arts spaces can work within municipal planning processes to continue their operations in a developing urban context.

- Deterrent

Given the range of experiences recalled by interview participants, findings suggest that City staff and members of the cultural community play important roles in supporting a vibrant cultural sector through an integrated approach to cultural planning and cultural facilities development. However, taken together, the challenges, frustrations, and perceived limitations to regulatory and municipal planning processes in Vancouver have compelled some artists and artist-run organizations to downsize their operations or consider relocating to other cities, where the prospect of continuing their creative practices in a supportive planning and policy context are perceived to be more viable.

I would say that [our] main ambition right now is to get out of Vancouver. The show will never as big as it was in Vancouver again I don't think. I think it will only ever be smaller on purpose because it's too much hassle to throw an event that big in this city. Other cities probably – we are hoping – are more conducive to an event our size.

Alternative, non-capitalist creative practices, such as those produced and exhibited by artist-run centres, have consequently evolved to sustain their operations in a context of creativity-led urban regeneration. Some artist-run centres included in this research have modified their management, programming and operations to reflect more commercial, professional, and international practices, while others are deterred from the prospect of continuing to develop their practices in Vancouver. These strategies spark interesting considerations about the future of artist-run culture in Vancouver and the capacity for planning and policy to support the programming and operations of cultural spaces dedicated to a range of cultural practices in the creative city.

6.4 Contributions and Activities

Artist-run centres have historically made important contributions to the cultural ecology of Vancouver, providing a forum for creative expression, collaboration, experimentation, artistic production, professional career development, and exhibition. Over time, the programming and operations of some centres have also evolved to provide opportunities for the public to see,

experience, and engage in alternative forms of contemporary art practice, while aspiring to retain control over selection, presentation, and dissemination of contemporary art work. Despite the difficulties involved in managing the operations of dedicated arts space in a challenging policy context, interview participants identified a number of ways in which artist-run centres and spaces continue to make vital contributions to artists, communities, and to the City of Vancouver. This section identifies these contributions, relating them to theoretical arguments concerning the importance of cultural production to the cultural economy and the ‘creative city’, and emphasizing the need for regulations that reflect their activities in order to provide support in a context of post-industrial policy implementation and urban development.

Artists

- Access to Dedicated Arts Space

Reflecting Keith Wallace’s (1991) description for the emergence of artist-run culture in the 1970s, many of the artist-run facilities included in this research continue to provide opportunities for artists who are underexposed or less represented in the commercial art market with the space they need to produce, exhibit, and share their work. As some informants explain, these opportunities are critical in Vancouver, where the provision of creative production space, suitable to a range of artistic practices, is limited.

This started as an open community studio. [We] opened the door and let people do whatever they want to whatever they want in here. We work with people. They come with their ideas and we basically provide a space for them to build and make those ideas and show those ideas.

The idea of actually making space as an experiment was interesting to me [because] it could be a space where process, creativity, and collaboration would be the thing that was looked at rather than simply the very glossy finished product. [There is] magic in that part of it, which often isn’t seen unless you are part of the process of doing it.

Hence, in response to the pressures of urban growth and transformation, as well as the challenges associated with finding and funding dedicated arts space in Vancouver, artists are mobilizing to develop innovative ways of providing peers and the public with opportunities to create and engage in diverse cultural experiences. In this way, artist-run centres and independent arts spaces are continuously engaged in processes of reinvention and redevelopment as interactions among

artists of different disciplines provide a social forum that inspires new projects, innovations, and the creation of new ideas.

In the case of some artist-run centres, a specific mandate for art exhibition provides artists with access to spaces dedicated to their artistic mediums. For instance, Gallery E provides shared equipment and workspace for artists utilizing traditional screen printing techniques to produce contemporary art works, while Gallery F produces an array of programming focused on facilitating dialogue between contemporary art and design. Other artist-run centres and independent arts spaces engage diverse artists and audiences in exhibitions, performances, publications, and special projects that showcase alternative arts practices from a broad range of disciplines, including Gallery D and Gallery H. Correspondingly, artist-run centres are tapping into diverse arts communities and providing artists with the space they require to pursue their creative practices in Vancouver. In some cases, the provision of studio facilities is supplemented by offering a range of services to artists at modest fees, including: international and local printmaking residencies, scholarships, workshops, and public programming. The operations of these spaces consequently provide artists with access to the equipment and workspace they need to create, without the pressure of having to sell their work in a limited arts market. The centres also help to retain area artists by continuing to serve their evolving needs as their careers unfold. Hence, in a context where cultural infrastructure, philanthropic aid, and public sector support for cultural facilities development are limited, artist-run centres are welcoming spaces that provide critical opportunities for cultural production, exhibition, and experience in the city. The need for policies that support their existence in Vancouver, and reflect their diverse, flexible programming and evolving uses, is therefore imperative in the development of a creative city.

- Professional Support and Development Opportunities for Emerging Artists

In addition to providing artists with access to dedicated arts space, many of the artist-run facilities included in this research continue to act as incubators and springboards for younger, emerging artists; providing recent graduates, students, and aspiring arts professionals with opportunities to pursue their creative practices and initiate the development their careers. The director/curator of one artist-run centre stated:

We definitely make a huge contribution to the arts community in Vancouver. It's been proven. We have given many well-known Vancouver artists their first or early

exhibitions in Vancouver, which helps to develop their careers within that sense. We are also a place to showcase – where you come to see young artists and where young artists who have just graduated can submit [their work].

In this way, artist-run centres make it possible for the region's aspiring artists to find encouragement and reach new audiences. In addition to providing opportunities for emerging artists to exhibit their work, support for artistic development is fostered within artist-run centres and spaces committed to providing emerging artists with the technical assistance, tutoring, instruction, and resources they need to develop their professional knowledge and business skills. The co-founder of one artist-run space in Vancouver's traditionally low-income Downtown Eastside neighbourhood states:

I would say overall [this is] an accessible space for artists to show, and also to get the experience of working closely with a gallery to mount their own exhibitions. That is something we are really strongly focussed on because of lot of the artists that we show here haven't shown that much before – everything from doing press and doing hangings and all of those kinds of activities. We try to include the artist as much as possible.

Reflecting arguments about the role of cultural production in the development of the creative city, it thus appears that artist-run centres and spaces help to incubate new talent by providing professional development opportunities and stimulating artistic careers. Additionally, the support and mentoring offered by these spaces is critical in providing local artists with the knowledge and skills necessary to pursue their artistic practices in an increasingly challenging and competitive arts market. From these opportunities, artists are able to retain some form of control over the management over their careers – central to the original philosophy of artist-run culture. These contributions illustrate the need for policies that support the creation and continue operations of artist-run centres and spaces in Vancouver, while ensuring that artists are able to retain control over their management and operations.

- Collaboration and the Creation of New Knowledge and Ideas

The interactive formats of artist-run spaces also provide opportunities for artists to collaborate, share ideas, and engage in critical kinds of artistic thinking. In some of artist-run centres included in this research, much of this conversation takes place among artists who have long been involved in the organization. The programme director at one artist-run centre explains:

Rather than educating the public on general ideas of contemporary art, we are here to support the discourse artist-to-artist...I think it has shaped the community around [us] as well...It's a connected crowd. You will see the same people that you will see at the other artist-run centres, but you will also see people that have been here for 20 years. The kind of community that has grown around grunt [is] a long-term community.

Other facilities provide a platform for collaboration among artists at various stages of their artistic career and development, welcoming newcomers while retaining a dedicated community of long-time members. As one interview participant stated: "It's not just local, young artists. In some exhibitions we mix mid-career or older artists with emerging artists for the idea of mentorship and the exchange of ideas". Many staff members speak of the important connection centres foster between masters and beginners, professional and emerging artists, opportunities that some report are simply not available elsewhere. As a result, artists have the opportunity to meet and interact with other artists, forming networks and independent working groups that are critical to the development of their art work and artistic careers. Newer, artist-initiated spaces also exhibit this established feature of artist-run culture, creating environments that facilitate interactions among artistic producers of all disciplines. The co-founder of one artist-run space states:

I personally see the value in having space where people can come together. That is where I feel like the ideas happen that feed larger projects that speak to a larger cultural audience. They get started through spaces that people can access and feel comfortable to be and talk and meet people.

As such, many of the facilities studied are welcoming spaces to meet, learn, converse, and perform. Showcasing a range of artists also generates visits from diverse communities with interests in a variety of art forms. Correspondingly, some other artist-run centres sense that their programming and exhibitions expose wider audiences and members of the public to new ways of thinking about the role and importance of arts and culture in their communities. In the words of one respondent:

I think people are quick to assume artist-run centres are for artists...whereas I would almost see it as an equivalent to a research base where it is about the production of knowledge and dissemination of knowledge...In general I would say visitors can come in an experience something and take something away that informs them in a critical way about history, social impacts, or social structures; hopefully allows them to be more empowered to more critically

assess social conditions...That is what it seems like artist-run centres are able to bring about. It's also a little bit more flexible in terms of formatting and methodology.

Therefore, the flexible programming of artist-run centres continues to be a source of inspiration and creativity in Vancouver; providing artists and members of the public with the stimulus to generate new knowledge and the creation of innovative ideas.

- Experimentation

While the interactive formats of artist-run centres and spaces provide critical opportunities for artists to network with peers and mentors and engage with viewing audiences, many also provide unique opportunities for artists to experiment with their creative practices and master new techniques outside of conventional, commercial gallery spaces. As stated by one interview participant: "An artist-run centre is a space of experimentation for non-commercial practices – Thinking of the space as a laboratory so young artists and emerging artists can try out things and not worry about having to sell them". In globalizing cities like Vancouver, where business and capital have become the primary features of urban redevelopment, non-profit and independent arts spaces consequently provide reprieve from the extreme focus on the growth and development of the cultural economy. In the words of one participant, they provide spaces for "[artists] and audiences to [produce and] experience [art]" without having to conform to the standards of the commercial art market:

I think it is within the City's best interest to support the existence of artist-run centres...In our society we tend to commodify art and artist-run centres are de-commodifying art and trying to present art as shared property and as intellectual property as opposed to physical property. You need a certain kind of space in order for that type of work and engagement to exist.

This commentary speaks to the need for policies that reflect, reinforce, and support the development of non-commercial cultural spaces in Vancouver as they act as open and experimental avenues through which the sustainable development of the cultural economy and the creative city can take place.

In addition to providing opportunities for artists to experiment and create meaningful new art forms, there is also the potential for the meanings and contributions of artist-initiated spaces to

grow and develop, provided they can sustain healthy operations in Vancouver. For instance, Gallery H is an independent arts facility and community based art resource centre that provides creative production space for emerging and established artists whose work may not be embraced by commercial or mainstream art galleries. The facility is comprised of studio, retail, office, gallery and venue areas created specifically for creating new works of art. Gallery H also opens its doors to film, video and experimental audio performances as well as live theatre. In this capacity, the facility aims to foster collaboration and creative expression by presenting underground works to diverse communities, and encouraging the general public to explore their own creative expressions. The focus of the organization continues to be on adapting their practices and uses of space to reflect a range of new and experimental art forms. The director of Gallery H explains:

When [it] started it was a very experimental space. We didn't know what we were going to do. I basically opened it as a gallery, but with a very open concept of 'gallery', which has always been my take on galleries or art in general. It's never been just about painting and drawing – it's more of a verb to me than it is a noun. That is how I always I approach the word, the space, and the idea. I don't think that our idea is a new one. People are always asking where we came up with this idea, but this is actually been the original concept of artist-run centres when it started up in the 1970s. It was always about more of a communal space that was utilized for multi-purposes...We are just merely staying with the old, grassroots approach to artist-run centre [by] not choosing to go the funded root...I am more interested on integrating arts and creativity into everyday life and community – acknowledging the arts community, but also integrating the general public.

The evolving, experimental, and evolutionary practices of artist-run centres and spaces consequently speak to the need for policies that reflect the changing nature of their programming and operations, while ensuring that they can remain a forum for artists and arts administrators to pursuing their creative practices external to a symbolic economy of capitalist production and exchange.

Communities

- Arts Community

While artist-run centres and spaces provide the types of infrastructure, services, and creative environments that benefit artists and arts administrators, they also offer a range of cultural

experiences to communities of artists, patrons, and members of the public. In Vancouver, artists' centres are situated in neighbourhoods throughout the city, including Mount Pleasant, Chinatown and the Downtown Eastside where the affordability of space has contributed to the agglomeration of artists' spaces and contributed to their continuing attractiveness as viable places for artists to live, work, and create (Figure 3). As a result, some respondents explain that due to their history and operations, artist-run centres and spaces act as important pillars for the arts and culture communities in these neighbourhoods. Referring to the recent loss of The Red Gate, a multi-purpose arts centre and creative production space located in Vancouver's Downtown Eastside, one interview participant explained:

The loss of Red Gate is huge. That is where people would just go – everyone in the community – a secret community of artists. Everyone went to Red Gate at different times and for different reasons because it was all different things. It was music and art. It was everything. There were so many different people that used that one space. It [was] a huge pillar of the community.

In October 2011, The Red Gate was given an order to vacate by the City of Vancouver due to ongoing fire and safety issues. As a result, some respondents associated the loss of the venue as a loss of support to area artists and their attachments to the surrounding neighbourhood. As dozens of legal and underground venues face similar threats of closure, some respondents point to these events as indications of the ways in which regulations inhibit the creation and operation of artist-run centres and spaces as hubs for artistic communities in the city.

Although many spaces included in this research serve artists directly, others, such as Gallery C and Gallery I, have broadened their work to include educational programs, youth programs, and community-oriented cultural initiatives that connect their programming and activities to larger communities and local residents. In this sense, some artist-run centres have heightened their visibility as part of the contemporary art system. The co-founder of Gallery I states:

I think that we are a very accessible type of space – even towards the neighbourhood that we are in. We try to be as welcoming as possible to people from the neighbourhood. So far that has been a pretty enriching aspect of running the space where we are located. Especially because of the multi-purpose nature of the space we have had a lot of diverse

audiences come through and we have been able to create a really interesting community. We [also] do community-based events, like games nights every month.

In this way, artist-run centres and spaces are essential assets to local neighbourhoods – building relations among the artists and communities and becoming embedded in the life of their immediate surroundings. As a result, these organizations provide residents with a forum to engage with arts and culture –and make the “craft a bit more accessible to the public”.

Five years ago, it was kind of this stunted network – sort of like a friends circle times ten, with everyone’s friends circle wrapped up. In the last two years we saw a transition to it being mainstream...People [come] with their dogs, kids, grandparents....plus, all the art hipster kids sneaking in beers and drinking beers in the back – such a diversity of people. Plus, a lot of notable art collectors were all in the same room at one time, which is pretty cool. And I think this year was even more mainstream. There was less of our friends and thousands of people we had never seen before, which is really cool.

Over the years, the artist-run centres that once operated almost exclusively for artists have hence broadened their work, heightened their visibility and widened their relationships with larger communities amidst the growth and development of the new cultural economy.

- Communities

In addition to providing a shared space for collaboration among artists, some artist-run centres and independent arts facilities are committed to building wider audiences by curating programs and exhibitions that reference and relate to a variety of contemporary social, cultural, economic, and political issues. The director/curator of one artist-run centre stated:

My background and interest is in social practice and artists whose interest is in collaboration usually with non-artists and with various communities. I am trying to develop [this space] as a hub for the community [by] engag[ing] with non-arts communities in certain ways...I ultimately feel that art is an amazing form of communication, and an amazing way to deal [with] or question political and social issues in communities.

In this way, artist-run centres have evolved from specialized spaces that provided friends and colleagues with a forum to exhibit their work, to institutions with a public purpose – engaging wider audiences in the experience of alternative art forms and providing unique opportunities for both artists *and* the public to engage with contemporary art works. In the process, artist-run initiatives are fostering public interaction with arts and culture, building broader communities of

interested patrons, and engaging diverse audiences in Vancouver's arts and cultural scene. In the case of some artist-run initiatives, the opportunity to occupy permanent spaces has provided the organizations with the ability expand their programming and operations and augment the cost of the full facility. In many instances, this has developed in response to the need for artist-run centres and independent arts facilities to diversify their revenue sources in order to sustain their operations, and establish their presence amidst the dominance of larger cultural institutions and commercial art galleries. In order to foster these benefits and facilitate the creation and continued operation of artist-run centres and independent arts facilities, it is therefore important that policies enable their initiatives to reach wider communities of interested patrons and members of the public.

- City of Vancouver

As the City of Vancouver leverages its cultural assets as a means to create a distinctive sense of place, research reveals that artist-run centres and independent arts spaces contribute to the cultural economy by adding to the cultural and creative vitality of the city. For example, the growth of Gallery K from a modest showcase of local artists to one of the largest arts exhibitions in Western Canada has played a critical role in showcasing the strength of Vancouver's local arts and cultural scene to national and international audiences. The former executive director explains:

I think it definitely raises that profile internationally, especially with the amount of international submissions we get and the amount of online press and the amount of online attention...I think it gives Vancouver artists something to feel proud about, especially an emerging artist...It also brings artists together in the city because it brings them all together at the same time and being on the same level playing.

In reference to this case study, it appears that organizations which began as informal collectives run by artists are becoming incorporated into Vancouver's leisure and entertainment industry, wherein the visual arts are contributing to Vancouver's brand as a creative city destination on the cutting edge of innovative arts activity. In addition, the programming and presentations commissioned by some artist-run centres have succeeded in building an audience for non-local artists in Vancouver. The exchange shows commissioned by some spaces have focussed on art from abroad, bringing artists from Europe as well as from other regional communities to

Vancouver and exposing their work to new markets, both in the region and nationally. Hence, artist-run centres and spaces continue to be powerful producers, presenters, and catalysts for creativity in Vancouver – enhancing the ability to home-grow, attract, and retain a range of artists and cultural production practices as critical sources of creativity and innovation in the new, cultural economy. Therefore, some artist-run centres and independent arts facilities operate in fuzzy boundary between maintaining their ideological authenticity as spaces that support non-commercial arts activity, and expanding their operations to become part of the Vancouver's cultural identity and commercial arts market. Ensuring that regulations can support their operations is hence an important component of ensuring that they create and sustain their unique operations as critical to cultural life in the city.

In each of the ways discussed above, artist-run centres and informal arts spaces make essential contributions to the social, cultural and creative vitality of Vancouver. For the artists themselves, they provide the material support and learning environments that enhance their work and encourage cultural production and creative arts practices. Their programming and activities have also evolved to include programs and services that engage broader audiences and members of the public due, in part, to the context in which they operate. In addition, artist-run centres generate wider community benefits, including exposing interested audiences to alternative works of art, and contributing to Vancouver's international profile as a creative city destination. Correspondingly, support for artist-initiated spaces in Vancouver is critical at a time when of the inventory of creative production and exhibition spaces, suitable to a range of artistic practices, is limited. Given the number of regulatory challenges and their effects discussed in previous sections of this chapter, this thesis maintains that a suitable regulatory system and policy context is necessary to ensure that Vancouver can continue to benefit from the contributions artist-run centres and spaces make to the cultural life and sustainable development of the creative city.

6.5 Motivations for Continuing to Work

Despite the regulatory issues associated with developing and managing the programming and operations of artist-run centres and independent arts spaces, the artists and arts administrators interviewed for the purpose of this research were asked about the factors that compel them to continue managing dedicated arts facilities in the city. The following section

identifies their main motivations for addressing regulations and continuing to pursue their creative practices in Vancouver.

- Passion for Creative Expression

Among many interview participants, an overwhelming passion for various forms of artistic expression among the founders, current and previous directors or curators, administrators, and/or primary operators of Vancouver's artist-run centres and spaces sustain their commitments to ensuring that these kinds of cultural facilities remain identifiable parts of urban life and culture. Some participants stated:

I believe that art is vital and important to a healthy community and there should be a variety of type of art...We seek rewards in everything from small to large classes that come through here, people that are introduced to art for the first time and have an amazing experience, and people that are completely indoctrinated into the world and give feedback as well. For me I need to be doing something that is contributing to the community in some way so that is why I do this.

Obviously it goes without saying that we all really love what we do here. As artists and cultural workers to have a community of artists that you are working closely around and an interested public that continually changes from event to event really fosters an amazing dynamic that runs through this space...There is an amazing dialogue that happens with that. I want to be part of that conversation and I was to foster a space that allows other people to join that conversation in hopefully a very inviting and non-discriminatory manner.

From these perspectives, productions bring together diverse audiences, innovative artists, and a range of live performances and events that provide unique opportunities for people to experience diverse expressions of various arts and cultural forms. The opportunity to foster and participate in creative dialogue consequently compels some artists and cultural workers to create and sustain the operations of non-profit and independent arts spaces, despite the perceived limitations associated with living and working in a challenging regulatory environment. Over the years, Vancouver has also developed its profile as a location for critically engaged, outward looking, collaborative, and interdisciplinary visual and media artists. The ability to work with those who represent the most unexpected, surprising, and critical kinds of artistic thinking consequently keeps some artists and arts administrators committed to providing accessible spaces where artists

can come together to create innovative artworks outside of the larger gallery system and without the pressure of having to conform to market standards.

- Supporting Local Artists

Another one of the main motivations behind working to sustain the operations of artist-run centres and independent arts spaces is the contributions artist-directed galleries bring to Vancouver's cultural scene; encouraging collaboration and experimentation, providing access to spaces and services, and providing emerging and established artists with public exposure early in their careers. In a context where these opportunities are becoming increasingly limited by the dominance of larger arts institutions and commercial galleries, as well as a perceived lack of support from the public sector, some interviewees are committed to ensuring that these opportunities continue to support the work of local artists and nurture new talent in Vancouver.

Just getting to work with artists...I give them an opportunity of a space to experiment. I think a place like [this artist-run centre] is an important first step for a lot of artists in their career and it's exciting to be a part of that. It's worth that kind of work, and it's also worth advocating and fighting for the importance of arts within our culture and within our community because it seems to be becoming less and less important to politicians, but it's still very important to the majority of our community – maybe in very passive ways. It's great to be part of a cultural scene like that and to be part of these dialogues.

- Public Experience

For some interviewees it is a desire to improve public access to art in their communities, expand public conceptualizations of culture, and facilitate public access to the diversity of Vancouver's arts and cultural scene that provide essential motivations for continuing to manage the kinds of cultural spaces dedicated to new and experimental art forms. Some interview participants are driven by the prospect of providing opportunities for artists and audiences to create and experience thought-provoking pieces in settings where art does not need to be advertised, marketed, and consumed in the same way as any other commodity in order to be understood and appreciated.

Really what keeps me committed to working for artist-run centres is the principle that art should be available for the public to experience often. I think that the public should be presented with experiences of art on a regular basis and those experiences should shake them a little bit to think about their values in a different way, the way they act and behave

in different ways, and the way they understand themselves and other people. I don't necessarily think that you can have those sorts of experiences with art that is just meant to be bought and sold in the marketplace. There needs to be an accommodation for art that is exactly the opposite – outside of the marketplace – in order for people to have those experiences.

There is therefore a desire to challenge assumptions of where and how diverse audiences can experience contemporary art in the cultural economy. Some artists are motivated by what they perceive to be limited access to these opportunities in Vancouver, working against the marginalization of non-profit and independent arts activities despite prevailing political and economic systems. In the words of some participants:

I'm committed to working in Vancouver [because] I think that artist-run centres are under threat right now. A lot of artist-run centres relied on that cheque every year from B.C. Gaming and are now having to really cut back. There is a lot of work to be done over the next few years to figure out and then to implement strategies for these organizations to continue to exist.

I think arts and culture has the ability to change live and to change the way people look at the world. In many ways in Vancouver there is a challenge that I find exciting...One of the reasons I live here is because Vancouver has a very rich underground, and all kinds of undergrounds. On top of Vancouver is this really thick veneer that makes sure none of that comes to the surface...It is those underground that are the most fascinating things about Vancouver.

This commentary suggests that some members of Vancouver's arts and cultural community are motivated by the challenges of living and working in the city and are committed to developing innovative ways of ensuring that these facilities can continue to exist despite the pressures of development and declining public sector support. The desire to work outside of existing conventions for displaying art, improve Vancouver's cultural scene, and cultivate innovative ideas for the creation of new cultural experiences prove to be essential motivations for working towards supporting the growth and development of artist-run cultural facilities.

- Expanding Vancouver's Reputational Capital

Other interview participants described being motivated by the creative energy of Vancouver's dynamic arts community, as well as the prospect of contributing to the city's growth and development as an international destination on the cutting edge of innovative arts and

cultural activity. Relative to other North American cities, Vancouver has the potential to harness a vibrant cultural community and to support their activities in the creation of a vibrant, dynamic, and unique cultural environment. In the words of one participant:

Vancouver has a certain energy that I think other cities don't have. You can really see it in visual arts, and especially worldwide because I travel quite a bit to Europe and the Middle East...Vancouver has a reputation in cities and Europe and places like that that is way beyond the reputation a city of its size should have.

Consequently, there is “a passion to make something cool in Vancouver happen” and to support the creation and continued operations of artist-run initiatives as ways to nurture local talent, while making the city a better place to live, work, and play. Hence, in the context of Vancouver, artist-run centres and independent arts spaces are becoming a visible part of the urban life and the culture, becoming a part of the city's brand as a cultural and creative city destination despite operating in a theoretical and practical planning context where ‘creativity’

- Lack of Commitment

For many of the artists and cultural workers interviewed in this research, it is their passion for arts and culture, their desire to support the local cultural community, and their commitment to contributing to Vancouver's arts and cultural scene that provide essential motivations for sustaining the operations of artist-run centres and independent art spaces in the city. At the same time however, the frustrations associated with achieving bylaw and regulatory compliance has deterred some artists from considering the prospect of continuing their creative practices in Vancouver:

I think there is a lot of frustration. There are a lot of people who were it not for commitments they made would be just as happy in another place...What do you get there? You get a substantial amount of public investment in the arts, a substantial amount of philanthropy, an actual viable art market for contemporary work, and an [institutional] establishment that doesn't stop that. They see value to it.

There were times when I was so frustrated with the City that I thought I would just leave...Those were fleeting thoughts, but I had them. Maybe I just won't be in Vancouver. From my experiences it's not really easy...I feel like there is less room in an artistic venture that doesn't have a huge financial gain at the end for stuff to go wrong...It's more than the fact that it is money... It's that big a life event and it's all your money and kind of your future...It's that emotional part of it. Its more than just the hassle of the

City, it is a shitty life experience to do through. That part of it I don't wish on anybody else...Lets make it a little more flexible as long as its still safe and meets the social goals of the City.

Ultimately my own financial stability is something that I have to think about as well. How can I survive? You have to do it for the love, otherwise you could go crazy.

These comments spark concerning questions about Vancouver's ability to retain artists and arts spaces as essential sources of cultural vitality in the creative city given the compounding pressures created by the current regulatory structure and system of municipal planning and decision-making.

Drawing from the perspectives and experiences of interview respondents, this chapter identified the regulatory challenges experienced by artist-run facilities in Vancouver, their effects on these kinds of cultural spaces as essential sources of cultural and creative vitality in the city, and the strategies artists and arts administrators use to address these challenges. Although artists and arts administrators have had diverse experiences with regulations and their spaces, research findings reveal that there are a number of barriers which continue to inhibit artist-run centres and independent arts facilities from achieving bylaw and regulatory compliance. Findings suggest that these challenges are exacerbated for the city's newer spaces as many individual artists and young organizations are seeking to create and operate cultural facilities with little or no experience or knowledge of the key regulatory attributes such operations require. Additionally, their operations often involve complex regulations and processes that further complicate the ability of the community group or venue operator to efficiently and sustainably offer their program. This proves challenging for established artist-run organizations as they strive to attract new audiences and/or acquire alternative sources of revenue to develop their operations in the current arts market and development context. Correspondingly, artists and arts administrators use several strategies to ensure the continued operations of their spaces. Some interviewees rely on guidance from those with expert knowledge of regulations to understand the policy requirements, while others have modified their programming and operations models to facilitate regulatory review and application processing. These findings speak to the ways in which regulations exacerbate the challenges intrinsic to capitalist development in the creative city, as they compound the financial, locational, and administrative difficulties associated with creating and sustaining the operations of affordable, dedicated arts space in the City of Vancouver.

Research findings also identified the contributions artist-run centres and informal arts spaces make to the cultural economy in Vancouver, emphasizing the need for policies and planning initiatives that will support their activities in a context of rising real estate values and declining public sector support. The final section explored interview participants' motivations for continuing their creative practices despite the perceived challenges, frustrations, and limitations of working in this context. Findings reveal that while much of the scholarship on the cultural economy and creative city neglects the importance of public non-profit and informal arts activity beyond their economic advantages, artist-run centres and spaces continue to make vital and valuable contributions to the cultural economy in Vancouver, providing artists and communities with access to affordable space and contributing to artistic innovation and creativity through cultural production, experimentation, and the creation of innovative art forms. As such, they add to the cultural ecology of the city and help to sustain and support artistic communities. The final chapter of this thesis provides a summary of the research findings and discusses their relation to the theoretical and practical planning context outlined in preceding chapters.

7 Summary and Recommendations

Although the emergence and popularity of the creative city model has generated considerable interest in the significance of arts and culture to economic and community development, this thesis explored an alternative perspective to the uncritical notions that currently dominate the debate on creativity and cities by examining the effects of regulations on the creation and operations of non-profit, artist-run centres and independent arts spaces as essential sources of cultural production and creative arts activity in Vancouver, as well as how artists and arts administrators experience the process of achieving bylaw and regulatory compliance to manage and sustain their operations in a post-industrial context of policy implementation and urban redevelopment. Research findings addressed the strategies artists' employ to achieve bylaw and regulatory compliance, as well as the contributions these spaces make to the cultural fabric of the creative city. Finally, research examined artists' primary motivations for sustaining the operations of these types of cultural facilities in a challenging arts market and development context. The final chapter of this thesis presents a short synthesis of the main findings in relation to the theoretical and practical planning context for cultural planning and cultural facilities development discussed in preceding chapters, as well as recommendations for future policy work in the City of Vancouver.

7.1 Summary of the Research Findings

7.1.1 Experiences and Effects of Regulations on Artist-Run Centres and Spaces

Vancouver's growth in recent years has both created and depended on new spaces of cultural consumption that respond to changing lifestyles and make the city a desirable place in which to live and work. In both social and economic terms, and also in the remaking of the region's land use and built environment, Vancouver's post-staples and post-corporate development trajectories have been accompanied by a growing influx of immigrants, capital, and culture since the 1980s. Enhancement of the public realm, policy commitments to residential development, investments in tourism infrastructure and marketing, and the abundance of restaurants and cafés in downtown cultural districts all underscore Vancouver's exemplary status as a city of spectacle and consumption (Barnes et al., 2011). Manifestations of urban economic restructuring and regeneration are consequently reflected in the development of post-industrial

landscapes defined by new residential communities, specialized production industries, and a high amenity public realm – marking the emergence of a new cultural economy in the inner city. These processes have also been driven by a system of cultural governance and a vision of Vancouver as a creative city destination that supports a diverse range of cultural resources, amenities, and experiences. In light of long range planning agendas such as the *Central Area Plan* (1991), as well as the creation and implementation of the *Culture Plan for Vancouver 2008-2018* and the *Cultural Facilities Priorities Plan 2008-2023*, the municipal government has contributed to the development of the creative sector, at least insofar as it contributes to making the sort of place that the skilled workers and creative industries in demand for the new economy want to live and work.

While the development of large visual arts institutions, the concentration of creative industries, and clusters of cultural amenity have helped to brand Vancouver as a cultural and creative city destination, the city has also accommodated the growth of small- and mid-sized cultural facilities, including artist-run centres and independent arts spaces. Research findings reveal that within Vancouver these spaces are involved in neighborhood revitalization, tourism activities, community outreach and arts education, and act as incubators of new talent. In addition, they provide intangible resources to the cultural economy, including creation/production and multi-tenant artist workspaces, opportunities to build professional development skills and peer networks, and anchors that support the arts and culture community. The existence of artist-run centres and spaces has therefore been an important, though largely underappreciated sector that has laid the groundwork for the cultural economy in Vancouver, supporting entrepreneurship, innovation, creativity, and cultural production practices among artists, patrons, and the public while supporting the quality of life that Vancouver has to offer. In the context of Vancouver's rising real estate values, diminishing public and private sector investment opportunities, and lack of intergovernmental support for cultural facilities development, the availability of affordable, appropriate, and accessible cultural spaces are likely to remain essential in the development and sustainability of the cultural sector in the creative city. Correspondingly, policies that reflect and support the operations of artist-run centres and independent arts spaces are necessary to ensure that their contributions and shared benefits can continue to contribute to the development of the creative city.

Research for this thesis reveals that as the City of Vancouver pursues policies that enable the development of commensurate consumption, specialty retail, and tourist amenities, regulations influence the context in which non-profit, artist-run centres and independent arts facilities develop and sustain their operations in an increasingly challenging arts market. Over the last two decades, the City of Vancouver has attempted to address many of the regulatory challenges associated with live/work and artist studio uses, cultural events, and live performance venues. However, research findings indicate that integrated issues around business licensing, change of use, public assembly, and liquor licensing persist. General issues raised by the artists and arts administrators interviewed for the purpose of this research included: outdated and onerous regulations, complex processes, costly fees, and a prohibitive structure of governance. Included within these general issues are more specific concerns over Liquor Licences and restrictive uses permitted in a given venue. Overall, participants explained that the current regulatory structure does not adequately support or reflect the unique activities of new or existing artist-run cultural facilities in Vancouver. In particular, the number of outdated policies, the complexity of application processes, and the time and monetary costs associated with their completion impact artists' abilities to achieve bylaw and regulatory compliance. While there are many experienced operators, some individual artists and younger organizations are looking to create and operate cultural spaces with little or no experience or knowledge of the key regulatory approvals such operations require (City of Vancouver, 2010). As a result, the regulatory barriers to operation are compounded for artists and arts administrators who lack the skills, resources, and experiences necessary to navigate the complex governance structure and all of its components. Further, perceived inconsistencies and unpredictability in regulatory enforcement have contributed to the perception that the City is enabling the development of key industries and commercial arts activities, as essential to the development of the creative city, while perpetuating challenging conditions for the individual artists, non-profit, and independent arts groups who make vital and valuable contributions to the cultural and creative vitality of the city.

Rather than enabling the sustainable creation and operation of artist-run centres, regulations continue to impact the creation and continued use of dedicated arts space, the programming and operations of artist-run centres, and the context in which cultural facilities develop and operate. Among some artists and arts administrators, there is a perception that

regulatory enforcement is contributing to an overregulated and homogeneous environment for cultural activity in the city whereby the potential for experimentation, creativity, and innovation are constrained by the restrictive policies that govern the use and safety of cultural infrastructure. Research findings also reveal that regulations are contributing to the growth of an underground arts scene in Vancouver, preventing some organizations from diversifying their programming and operations models in order to reach new audiences or acquire alternative sources of revenue. At the same time, the growth of an underground arts scene is perpetuating mistrust, skepticism, and misunderstandings among planners, politicians, and the public about the importance of artist-run centres and independent arts spaces as critical sites of cultural production in creative cities. As a result, many arts organizations view their operation in isolation from the City's cultural planning objectives and broader community interests – forcing them to operate outside of the regulatory systems, driving them into inappropriate neighbourhoods and/or forcing them out of the city altogether (City of Vancouver, 2010). On the other hand, the challenges and perceived limitations have compelled some artists to develop alternative methods for the production and presentation of alternative art forms, suggesting that artists and arts organizations have developed their own innovative techniques and strategies for dealing with regulations and municipal planning processes to ensure the continued operations of dedicated arts facilities.

While a review of relevant literature and an examination of the case study research reveals that, under the rubric of the creative city, planners and policymakers have successfully used the arts and culture to animate cities and neighbourhoods in support of creativity and innovation, an in-depth examination of the artists experiences managing artist-run centres and spaces reveals that regulations have discernible effects on the sustainable development of non-profit and independent arts facilities as critical sources of cultural production and creativity. Moreover, research findings suggest that the many of the challenges and recommendations acknowledged in the *Culture Plan for Vancouver 2008-2018* and *Cultural Facilities Priorities Plan 2008-2023* have not yet improved the experiences of the artists and arts administrators interviewed for the purpose of this research. In the framework of a knowledge-based and innovation-oriented development path, it can thus be concluded that creative activity does not rest solely on the mere concentration of workers in technologically or artistically creative occupations (Krätke, 2011). Rather, it depends on the development of a highly effective planning

and policy context that integrates the goals of cultural and creative city planning with a regulatory structure that can enable cultural infrastructure development in support of arts production, exhibition, and experience.

7.1.2 Strategies to Address Regulations

To navigate the political environment and complex governance structure of the City, artists and cultural workers use several strategies to address regulations and ensure the continued operations of their spaces. In some cases, the internal governance team and the relationships director/curators have formed with members of the cultural community have provided them with the information and support they require to develop a better understanding of the regulatory requirements and application processes as they apply to particular aspects of their programming and activities. Other artists and arts administrators interviewed for the purpose of this research have turned to Cultural Services to champion the process, relying on guidance from those with expert knowledge to deal with the complexities involved. Some participants believe that it is only through past experiences and professional connections with City staff that one is able to sustain some longevity, while others prefer to retain control over all aspects of their management and operations to maintain the integrity and original philosophy of artist-run culture.

Research also reveals that some artist-run organizations are modifying their management, programming, and operations models to reflect more professionalized, commercialized, and institutionalized arts practices. Some artists who possess the human and financial resources have hired expert consultants to achieve bylaw and regulatory compliance, while others have become increasingly reliant on the knowledge, skills, and resources of private partners to develop the resources necessary to navigate the complexity of the current regulatory structure – redefining forms of collaboration and collectivity in artist-run culture. In other cases, artist-run centres that began as informal collectives have come to rely on the professional skills and business savvy of full-time directors and curators, giving way to the pressures of, and even desire for, professionalization to deal with regulations within what has become a formidable arts industry, especially if one desires to succeed within it. In some cases, the frustrations and perceived limitations to living and working in Vancouver are compelling artists and artist-run organizations to consider relocating to other cities, where the prospect of continuing to develop their programming and operations is perceived to be more viable. As a result, the displacement of arts

practitioners to other cities may impact the overall health, vibrancy and sustainability of the cultural economy in Vancouver – driving talent and innovative cultural production practices out of the city.

While the contemporary debate on the cultural economy tends to link cultural activity to the imperatives of capital accumulation and commercial success, it thus appears that some of the artist-run centres and independent arts facilities which initially resisted processes of capitalist production and exchange have modified their management, programming and operations models to reflect the institutional and commercial characteristics for-profit and commercial arts facilities – a response, in part, to the challenges involved in navigating regulations and municipal planning processes. The range of strategies employed by artists and arts administrators spark interesting considerations about the future of artist-run culture in Vancouver and the need for flexibility and adaptability in policy and planning to reflect the nature of cultural spaces engaging in continuous processes of reinvention, evolution, and expansion. Research findings also generate concerning questions about Vancouver's ability to nurture and sustain new, emerging, and established artists and arts administrators who may not have the experiences or access to expert resources necessary to navigate municipal planning and regulatory approvals processes. These findings speak again to the ways in which regulations play a pivotal role in cultural facilities development and in the development of the cultural economy in the City of Vancouver.

7.1.3 Motivations for Continuing to Work

While in contemporary economic times, work geared toward creativity and innovation has become the focus of planning and policy development in the competitive search for capital investment, this deconstruction of the creative city growth ideology maintains that non-profit artistic run centres and independent arts facilities play vital roles in the development of the cultural economy in Vancouver. Responding to literature addressing the role and importance of the non-profit and independent arts sectors in the development of the creative city, this research reveals that artist-run centres and independent art spaces continue to make vital and valuable contributions artists, to their communities, and to the cultural and creative vitality of Vancouver as transformative processes of post-industrial urban growth and development continue to unfold. For the artists and arts administrators included in this research, it is their passion for their work, their desire to support cultural communities, their ambition to expose diverse audiences to the

cultural diversity in Vancouver, and their commitment to building and sustaining their contributions to the local arts and cultural scene that provide essential motivations for continuing their work. However, research also reveals that the currently regulatory structure and systems which govern the use and safety of cultural infrastructure in Vancouver continues to deter some artists and arts administrators from initiating certain projects or continuing to manage the operations of cultural spaces in the city. Critically reflecting on Richard Florida's characterization of the creative class, it thus appears that the living and working preferences of local artists are influenced by more than simply the diversity of amenity or the 'quality of place' Vancouver has to offer, but rather the priority municipal governments give to ensuring that their work is supported at the political and policy level. As policies which provide the structure for how the City envisions its social and economic development, the regulations that govern urban infrastructure must therefore reflect and support the diversity of the Vancouver's cultural ecology in order for the City to attain its creative city aspirations.

7.2 Recommendations

Since scholarly research on the role of creativity in capitalist development does not address the specific policy mechanisms that are at work in the formation of urban centres of creative and innovative activity, this research explored the impacts of regulations on artist-run centres and independent arts spaces in Vancouver to provide some insight into the policies that would support cultural infrastructure development in a specific sectoral and spatial context. In the range of experiences described by interview respondents, it is evident that there is a role for artists, City staff, and members of the cultural community to play in supporting the operations of dedicated spaces for cultural production, exhibition, and activity in the city. The following section provides some recommendations for enabling cultural facilities development in Vancouver, informed by the research findings and review of policy research on the cultural economy discussed in preceding chapters.

7.2.1 Partnerships to Support Cultural Facilities Development

To support the talent, diversity, and creativity theorized to stimulate growth in the cultural economy, the *Culture Plan for Vancouver 2008-2018* embraces arts, cultural and creative diversity in pursuit of a strategic vision for Vancouver as a creative city. Recommended as part

of Artscape's (2008) initial assessment of the barriers inhibiting the success of cultural facilities development in Vancouver was the need to engage politicians and planners in a cross-sectoral approach to policy and planning that reflects shared values and facilitates collaboration within and between the public sector and the wider arts and culture community. Research for this thesis indicates that a more collaborative and consolidated approach to cultural planning that crosses traditional organizational and sector-based silos is still necessary to improve the regulatory application and approvals processes. Cultural planners require the tools to enable cultural facilities development, and to be involved in all aspects of the planning process, while other municipal departments and local government authorities must develop a collective responsibility for cultural development in support of the creative city. This may require that planners and policy-makers acquire a better understanding the experiences of artists and arts administrators, and how they are conditioned by all aspects of planning and policy implementation. Continuing to take progressive action in this regard may help to create a consolidated policy framework in which cultural infrastructure development can proceed in support of the City of Vancouver long-range cultural planning objectives.

Further, although cultural planning has led local government to identify and establish support for cultural amenities, a vision of cultural planning and cultural facilities development must be translated into regulations that reflect and advance the realization of these strategic goals. Correspondingly, cultural matters cannot be set apart from other planning processes and areas of municipal responsibility, including regulations concerning land use and infrastructure. To enable cultural planning and to reach long-term goals, cultural planners and the arts community must connect their own interests and activities with the agencies responsible for planning and development – establishing a voice and a presence in all aspects of the planning process. While these changes cannot be achieved immediately, they require more direct attention in order for Vancouver to create a supportive policy context for artists and arts spaces as essential sources of cultural production and creative activity.

7.2.2 Knowledge and Capacity Building

Research reveals that while the City of Vancouver is pursuing cultural planning as part of a larger strategy for urban economic and community development, the arts and cultural community is taking an increasingly pro-active approach to cultural facility development,

reducing their reliance on declining public sector support. A sentiment shared by some of the artists and arts administrators interviewed for this research is the need for creative communities to retain control over the management and operations of these spaces. Given the experiences and challenges identified in this research, there is therefore a need to make regulations accessible and achievable to artists and the anticipated uses and functions of a range of cultural spaces. Part of this will involve providing artists with access to the tools and resources they need to succeed in cultural facilities development. Most recently, the City of Vancouver redesigned their website to include general information about the regulatory requirements and application procedures that apply to particular projects and initiatives. Tailoring this information to reflect the priorities and interests of artists and arts administrators should be one step towards making relevant information available and accessible to those striving to manage dedicated cultural facilities in a challenging regulatory environment. In addition, promoting the roles and responsibilities of Cultural Services staff should make the cultural community aware of the knowledge and resources available to assist them through the regulatory review and application processes. Ensuring that City staff from all departments understand the contributions and activities diverse kinds of cultural facilities make to the economic, social, and cultural development of Vancouver may also mean that staff are better prepared to assist artists and arts administrators through the regulatory system. Continuing to build upon the City of Vancouver's progress towards enabling cultural facilities development will hence be critical to developing a collaborative approach towards creating a supportive policy context.

7.2.3 Arts and Culture

The emergence of the cultural economy and popularity of the creative city model has caused planners and policy makers to focus their attentions onto the production and development of cultural commodities that will appeal to creative entrepreneurs, visitors and tourists, and industries theorized to stimulate growth in the new economy. In Vancouver, municipal land-use policies, cultural planning initiatives, and regulations have created the spatial setting for these conditions. However, the impacts of regulations on non-profit organizations and independent arts spaces should not be sidetracked in policies designed to advance creative city aspirations. In fact, as processes of urban growth and change continue, these spaces are likely to remain critical sites of cultural production, experimentation, innovation, and diversity. Research findings indicate the

main challenge for planners and policymakers may be to develop regulations that reflect the activities of cultural spaces, while not restricting their potential to grow, diversify, and develop their programming and operations in response to changing urban social, economic, and policy conditions. There may also be a need to consider a re-conceptualization of the ‘cultural economy’ in both theory and planning practice beyond its financial dimension and to interrogate notions of ‘value’ and ‘valuable’ outside of an economic imperative. Doing so may help to broaden the focus of development, and provide politicians and planners with the incentive to enable the creation and operation of diverse kinds of arts facilities in the city. Given the range of experiences described by interview respondents, perhaps the task of tackling an expanded notion of the cultural economy can only productively fall to artists, curators, non-profit organizations, and independent partnerships precisely because they are fields of inquiry where a range of creative thinking and extraordinary expertise exists.

As Vancouver continues to develop as a creative city destination, processes of growth and change that mark the transition from a resource-based economy to one of ‘diverse specializations’ (Hutton, 2004) attracting new industries, capital, and talent are likely to intensify; initiating major infrastructure investments and driving processes of residential redevelopment, gentrification, and displacement. In this context, municipal policy and planning will have crucial roles to play in shaping a positive environment for cultural facilities development as the basis for innovation, experimentation, creativity, and the production of value in much more than the purely economic sense. Understanding how regulations impact cultural facilities development and the strategies artists and cultural workers employ to sustain their operations are therefore important steps towards ensuring that artist-run centres and independent arts spaces can sustain healthy operations in the City of Vancouver. However, more exigent issues will require stronger leadership within the arts community, and a constructive and collaborative relationship within local government. Accordingly, policies and regulatory systems must perform strategic roles in the next phases of urban development to ensure that Vancouver can retain the strength of its cultural community and the diversity of its dynamic cultural assets.

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Appendix A Other Cultural Facilities in Vancouver's Cultural Ecology, classified by Artscape (2009).

Presentation Space (Live)

Vancouver has a number of live presentation spaces that support resident performing arts organizations and provide a range of rental opportunities for a mix of dance, music and theatre practitioners. A limited portfolio of small-sized, dedicated performance facilities (less than 450 seats) exists in the city. A few have been purpose-built (e.g. The Dance Centre Theatre), and most have been delivered through converted spaces (e.g. Firehall Arts Centre and Vancouver East Cultural Centre). A distinct concentration of small, commercial performance spaces on Granville Island has supported the successful production of key Vancouver festivals that require multiple venues in close proximity (e.g. PuSH, the Vancouver International Fringe Festival). Due to the focused purpose of these facilities, they remain heavily booked throughout the year and are considered to provide a critical foundation for the performing arts in the city. The City of Vancouver has been a key player in supporting the development of many of these spaces through nominal leases and development incentive mechanisms. Additionally, Canadian Mortgage and Housing Corporation (CMHC), in its role as the owner and operator of Granville Island, is a significant property owner of small-scale, dedicated performance spaces in Vancouver. The majority (87%) of Vancouver's small-scale, live presentation spaces are delivered through multi-functional facilities that accommodate performance-based activity as a secondary/ancillary function. While some of these facilities incorporate dedicated space (e.g. Roundhouse Community Centre), most are provided through short-term rental, multi-purpose spaces such as schools, community centres, and commercial entertainment venues.

Vancouver's mid-sized performance spaces (between 451-1300 seats) anchor a number of successful resident companies and provide additional rental space for non-profit performing arts organizations. The Vancouver Playhouse, Performance Works, Vogue Theatre, the Chan Centre for the Performing Arts and the Stanley Industrial Alliance Stage illustrate the small range of dedicated facilities in this category.

Major performance spaces (between 1,301 seats and 6,000 seats) include the Queen Elizabeth Theatre, Orpheum, and Centre in Vancouver for the Performing Arts. Multi-functional facilities such as the PNE's Agrodome and Forum, as well as B.C. Place Stadium and GM Place, contribute additional capacity in the Arena/Stadium category (>6,000 seats). The City of Vancouver has played a significant role in providing these spaces through its management of the Civic Theatres and the PNE facilities, with additional ownership of other facilities by the Province of B.C. and the private sector. Outdoor performance spaces with dedicated infrastructure also provide opportunities for live performance (e.g. Victory Square, Strathcona Pavillion, Malkin Bowl at Stanley Park, and Plaza of Nations), many of which are owned publicly by the City of Vancouver and the Parks Board.

Presentation Space (Exhibition)

Clustered primarily in the Downtown, many of the major exhibiting institutions are housed in City-owned or leased facilities and managed by independent, not-for-profit societies. Large-scale spaces have been delivered through a range of development strategies including conversions of

existing public facilities (e.g. Vancouver Art Gallery, Vancouver Museum) and development incentive mechanisms (e.g. Contemporary Art Gallery).

Small-scale (under 1,000 sq ft) and medium-size (under 5,000 sq ft) exhibition galleries (e.g. Art Emporium) are focused primarily on Granville Island, as well as along Main Street in Mt. Pleasant and are owned primarily by the private sector. Facilities that accommodate major exhibiting spaces are owned almost exclusively by the City and the Province. A few large exhibit galleries (under 10,000 sq ft), major exhibit gallery (>10,000 sq ft), and permanent outdoor exhibition spaces are also located in Vancouver.

Presentation Space (Media/Screen-based)

A number of small- and mid-sized private and non-profit venues exist in Vancouver to screen films, video and multi-media presentations. Many of these facilities have underpinned the success of the Vancouver International Film Festival and nurtured the emergence of a strong community of media artists. These include: commercial venues such as Ridge Theatre, Tinseltown; university-based spaces such as Royal Bank Cinema at UBC; and not-for-profit venues like Pacific Cinematheque and Vancouver International Film Centre. The importance of media arts to the city's arts and cultural economy has consequently been linked to productive engagement with creative industries.

Creation/Production Space

Existing studio and production spaces in Vancouver include: Artist Studio/Retail; Artist Studio – Class A (Low Potential Externality); Artist Studio – Class B (High Potential Externality) – e.g. amplified sound, industrial processes; Rehearsal; Production Workshop; Media/Recording Studio. Most are located primarily in the Downtown, Mt. Pleasant and Strathcona areas – providing critical venues to the arts and culture community for diverse art practices. Multi-tenant studio buildings such as The Mergatroyd Building, Parker Street Studios and William Clark Studios exist throughout these key districts. A hub of smaller-scale studios - primarily designer-maker spaces such as Black Stone Press, Amity Design Studio and Daniel Materna Ceramics – have been established on Granville Island, contributing to the successful mix of cultural land uses in the area.

Rehearsal spaces for the broad range of performing arts exist in a limited range of dedicated facilities (e.g. Carousel Theatre Company Rehearsal Theatre, Scotiabank Dance Centre, and Mascall Dance Studio) with a large portfolio of multi-functional spaces more commonly used.

Very few dedicated production facilities exist throughout the city, though the Great Northern Way Campus provides resources and space. Several initiatives have slowly begun to address these challenges, including: a proposal for a multi-purpose, creative production facility (Dales Building) by the Artists Resource and Technical Services Cooperative; the W2 Community Media Arts Centre in the Woodward's redevelopment; a rehearsal room in the Capitol 6/Orpheum; the expansion of the Vancouver East Cultural Centre's rehearsal space; and the proposed expansion and redevelopment of the Great Northern Way Campus' arts centre workshop/production space.

Living Space

Living spaces for artists in Vancouver include Artist Lodge and Artist Live-Work. Over 1,500 Artist Live/Work units have been approved by the City of Vancouver since the mid-1990s, many of which are accommodated in market-rate, multi-tenant buildings (e.g., The Edge, Art Tech, Art Works, and Main Space). A limited number of these units have been delivered as affordable studios, stewarded by artist-led co-ops and/or the City of Vancouver through its development incentive tools (e.g. Performing Arts Lodge and Core's live/work studios). More significant demand was articulated for work-only studio space in *Cultural Facilities Priorities Plan 2008-2023* as much of the formally designated 'Artist Live/Work' facilities are not monitored for consistent usage by practicing artists.

Office/Ancillary Space

Office locations for cultural organizations or arts advocacy groups exist throughout the city, either connected to associated programmed space or provided independently through traditional office spaces (e.g. Association of Book Publishers). The City supports a number of organizations through non-profit cultural spaces (e.g. Alliance for Arts and Culture) that have primarily public functions, though most office space is accommodated through the private sector. Due to the growing challenge of finding affordable office space in Vancouver, many organizations are currently operating out of homes, in community spaces (e.g. churches), or in sub-standard office spaces in transition areas around the Downtown that are disconnected from their programming and storage spaces.

Education/Training Space

Vancouver's educational institutions and training organizations provide a breadth of opportunities for arts and cultural practitioners in a variety of disciplines. Private (e.g. Art Institute of Vancouver, Harbour Dance Centre, and Vancouver Film School), not-for-profit (e.g. Arts Umbrella) and public institutions (e.g. Vancouver School Board) provide critical learning environments and a range of facilities that are accessible to the broader arts and cultural sector, while designated classroom, community centres, public libraries, religious spaces, commercial entertainment venues, technical training spaces, and training studio/rehearsal spaces are also often used for range of ancillary functions.

Appendix B Section 2 of the *Zoning and Development Bylaw*, amended up to December 31, 2009

[Note: Uses defined in Section 2 and listed in the District Schedules are grouped together and listed alphabetically according to twelve generic headings as follows: Agricultural Uses, Cultural and Recreational Uses, Dwelling Uses, Institutional Uses, Manufacturing Uses, Office Uses, Parking Uses, Retail Uses, Service Uses, Transportation and Storage Uses, Utility and Communication Uses, and Wholesale Uses. In this Bylaw, unless the context otherwise requires:

Cultural and Recreational Uses means and includes all of the following uses, and any one of them, but no other:

Arcade, which means the use of premises for four or more machines on which games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use;

Artist Studio, which means where used without a qualifier both an **Artist Studio - Class A** and an **Artist Studio - Class B**;

Artist Studio - Class A, which means the use of premises for the production of dance, live music, creative writing, painting, drawings, pottery or sculpture, video, moving or still photography, none of which involves amplified sound or one or more of the materials or processes specified under **Artist Studio - Class B**;

Artist Studio - Class B, which means the use of premises for the production of

- (a) dance or live music involving electronically amplified sound,
- (b) moving or still photography (excluding video) involving on-site film processing,
- (c) paintings, drawings, pottery or sculpture involving the use of fibreglass, epoxy and other toxic or hazardous materials or one or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics;

Billiard Hall;

Bingo Hall, which means the use of premises for the purpose of playing bingo and where the operation is conducted and managed by, and the proceeds are distributed to, one or more charitable organizations, but does not include bingo where the player is not playing the same game and responding to the same caller as and with other players in the hall or the use of player-oriented video lottery terminals or slot machines;

Bowling Alley;

Casino - Class 1, which means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gambling Control Act of British Columbia or successor Act, but does not include player-operated video lottery terminals, slot machines, bingo halls, pari-mutuel betting, non-player-operated video lottery terminals, or Casino-Class 2;

Casino - Class 2, which means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gambling Control Act of British Columbia or successor Act, and may include player-operated video lottery terminals or slot machines, but does not include bingo halls, pari-mutuel betting, and non-player-operated video lottery terminals;

Club, which means the use of premises by a non-profit society, association or corporation organized solely for the promotion of some common object and which is operated for club members and their guests only, but does not include **Church, Hospital, Social Service Centre, Community Care Facility and Group Residence** or premises used for residential or administrative purposes;

Community Centre or Neighbourhood House;

Fitness Centre includes Fitness Centre - Class 1 and Fitness Centre - Class 2;

Fitness Centre – Class 1, which means the use of premises, which do not exceed 200 m² of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports;

Fitness Centre – Class 2, which means the use of premises, which exceed 200 m² of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports;

Marina, which means the use of premises for the mooring of pleasure craft, but does not include repairing or building boats;

Golf Course or Driving Range;

Hall;

Library;

Museum or Archives;

Park or Playground;

Riding Ring, which means the use of a building for practising equestrian skills;

Rink; [Curling, Ice, Roller]

Stadium or Arena;

Swimming Pool;

Theatre;

Zoo or Botanical Garden;

Appendix C Zoning and Development Bylaw, District Schedules

HA-1 and HA-1A Districts Schedule (Chinatown Historic Area)

1 Intent

Chinatown is one of the city's original communities. It is a distinct community, which was established in response to the cultural and social needs of its Chinese population, primarily from Guangdong Province. The resulting "Chinatown Architecture" combined 19th century building patterns from Guangdong Province - which themselves were influenced by early contact with European, primarily Portuguese and Italian, cultures - with the local adaptations of Victorian forms. The significant buildings of this period were built between the Great Fire of 1886 and the beginning of the Great Depression in 1929 and many are protected heritage properties. Chinatown has traditionally accommodated a variety of uses from retail to residential to light industrial with a degree of tolerance not found in all parts of the city.

The intent of this Schedule is to encourage the preservation and rehabilitation of the significant early buildings of Chinatown, while recognizing that the evolving activities that make this district an asset to the city need to be accommodated contextually. The Schedule may permit a range of uses provided that reasonable, but not rigorous, concerns for compatibility are met.

To achieve this intent, this Schedule provides the basic development controls that regulate land uses and building form. There are two Districts: HA-1 corresponds to the boundaries of the protected heritage properties; HA-1A is the remainder of Chinatown. There are also two sets of related design guidelines. The guidelines are important for achieving an appropriate level of design sensitivity.

2 Outright Approval Uses

2.1 Subject to all other provisions of this Bylaw and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted as specified in sections 2.2.1 and 2.2.2 and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the HA-1 and HA-1A Districts.

2.2.1.C [Cultural and Recreational]

- Artist Studio - Class A, subject to the provisions of section 11.18 of this Bylaw.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Library.
- Museum or Archives.

2.3 Conditions of Use

2.3.1 All uses listed in this section shall be carried out wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) restaurant and refreshment facilities; and
- (c) display of flowers, plants, fruits, and vegetables.

2.3.2 No portion of any floor of a dwelling unit, except for entrances, shall be permitted within 2.0 m of street grade along a fronting or flanking street.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this Bylaw, and the provisions and regulations of this Schedule, the Development Permit Board may approve any of the uses listed in section 3.2, subject to the conditions of section 3.3, and including such other conditions as it may decide, provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.C [Cultural and Recreational]

- Arcade. *compatibility with surrounding uses, size, noise control, hours of operation*
- Artist Studio - Class B, subject to the provisions of section 11.18 of this Bylaw.
- Billiard Hall. *compatibility with surrounding uses, size*
- Bowling Alley. *compatibility with surrounding uses, size, noise and vibration control*
- Bingo Hall.
- Casino - Class 1.
- Hall. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control, size of liquor facilities, parking, taxi and bus ingress and egress*
- Park or Playground. *continuity of pedestrian interest, social and policing impacts, durability of materials*
- Rink. *compatibility with surrounding uses, size*
- Swimming Pool. *compatibility with surrounding uses, noise control, parking, taxi and bus ingress and egress*
- Theatre. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control, size of liquor facilities, parking, taxi and bus ingress and egress*

3.2. LW [Live-Work Use]

- Live-Work Use, subject to section 11.23 of this Bylaw.

3.3 Conditions of Use

3.3.1 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) restaurant;
- (c) parks and playgrounds;
- (d) neighbourhood public house;
- (e) full serve and split island gasoline station, except that section 11.10.2 of this Bylaw continues to apply; and
- (f) farmers' market.

3.3.3 Any development permit issued for live-work use must stipulate as permitted uses:

- (a) dwelling unit;
- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
- (c) dwelling unit combined with any use set out in subsection (b).

3.3.4 Except for entrances, all floors of a live-work unit must be at least 2.0 m above street grade along a fronting or flanking street.

4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations.

4.1 Site Area -- Not Applicable.

4.2 Frontage

4.2.1 In the HA-1 District, the maximum frontage for any use shall be 7.6 m, except for individual buildings that are less than 15.0 m in frontage.

4.2.2 The ground floor of all new buildings with widths in excess of 15.2 m shall be divided into more than one shopfront and with the largest shopfronts not exceeding 7.6 m in width.

4.3 Height

4.3.1 In the HA-1 District, the maximum height of a building shall be 15.3 m.

4.3.2 In the HA-1A District, the maximum height of a building shall be 27.4 m.

4.3.3 The Development Permit Board or the Director of Planning, as the case may be, may permit an increase in the maximum height, up to 22.8 m in HA-1, providing that he first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant;

- (c) the bulk, location, and overall design of the building and its effect on the site, surrounding buildings and streets;
- (d) the relationship of the development to any designated heritage building;
- (e) the design and liveability of any dwelling units; and
- (f) the effect of an addition on the heritage value of any designated building which is listed on the Vancouver Heritage Register.

4.3.4 The Development Permit Board or the Director of Planning, as the case may be, may exclude building cornices and parapets to a maximum height of 2.2 m and vertical decorative elements such as flagpoles and finials from the maximum height in sections 4.3.1, 4.3.2 and 4.3.3 providing that he first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.4 Front Yard and Setback

4.4.1 No front yard shall be permitted, except that where a building includes architectural articulation or decoration of its front facade that project from the front facade of the building, that facade may be set back from the front property line to the extent of that projection up to a maximum of 450 mm. Front setbacks greater than 450 mm shall be permitted for:

- (a) passageways to interior courtyards;
- (b) recessed balconies above the ground floor;
- (c) the upper most storey of the building, provided that the setback is at least 3.0 m behind the principal facade; and
- (d) rooftop mechanical equipment.

4.4.2 The Development Permit Board may allow a portion of the building to be recessed above the second floor for the purpose of increasing residential units' exposure to natural light, provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the massing, and overall design of the building and its effect on the site, surrounding buildings, block face and character of the area; and
- (c) the submission of any advisory group, property owner or tenant.

4.5 Side Yards and Setbacks

4.5.1 No side yards shall be permitted, except that side setbacks shall be permitted in accordance with 4.4.1 where a side property line abuts a street, lane or dedicated public park. Permitted side setbacks shall not occur within 6.0 m of a front property line.

4.5.2 The Development Permit Board may allow setbacks for the purpose of creating a light well or providing open space at grade, provided that no portion is closer than 4.0 m to a street facade, and further that any window looking directly into the light well is set back a minimum of 3.0 m from the nearest obstruction, and provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the massing, and overall design of the building and its effect on the site, surrounding buildings, block face and character of the area; and

(c) the submission of any advisory group, property owner or tenant.

4.5.3 For the purposes of section 4.5.2, the following shall be considered obstructions:

- (a) an existing building; and
- (b) the maximum size building permitted on any adjacent site.

4.6 Rear Yard and Setback

4.6.1 There shall be a minimum rear yard or setback of 1.0 m from the rear property line across the full width of the building, except that where any portion of a building contains residential uses, that portion shall be set back 7.0 m from the rear property line, across the full width of the building.

4.7 Floor Space Ratio

4.7.1 Computation of floor space ratio must exclude portions of exterior walls contributing to thermal and building envelope performance, in accordance with the provisions of section 10.33 - Exterior Wall Exclusions, in Section 10 of the General Regulations of the Zoning & Development Bylaw.

4.17 External Design

All new buildings and alterations or additions to existing buildings require the approval of the Development Permit Board or the Director of Planning for the design of buildings or alterations to elevations facing streets, lanes, and adjacent buildings. The Development Permit Board or the Director of Planning may approve the design of such buildings, alterations or additions provided that he first considers the following:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant;
- (c) the effect of new visible exterior surfaces on the architectural and historically significant characteristics of the existing building on site or adjacent buildings;
- (d) the extent to which the alterations to existing buildings are consistent with documented evidence of the original design or an earlier exterior treatment of historical significance to the building;
- (e) the alterations to historically significant characteristics of an existing building are necessary to accommodate a change of use permitted in the Schedule; and
- (f) the alterations to historically significant characteristics of an existing building are necessary to advance public health and safety.

5 Relaxation of Regulations

5.1 The Development Permit Board or the Director of Planning, as the case may be, may relax the frontage and rear yard regulations of sections 4.2 and 4.6 of this Schedule, provided that he first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

5.2 The Development Permit Board or the Director of Planning, as the case may be, may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as he deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, provided that he first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

MC-1 and MC-2 Districts Schedule

1 Intent

The intent of this Schedule is to reinforce the mixed use nature of this area, with residential, commercial and light industrial uses permitted. Emphasis is placed on building design that furthers compatibility among uses, and contributes to area character and pedestrian interest. The MC-2 District differs from the MC-1 District in limiting dwelling uses in areas adjacent to a heavy impact industrial zone.

2 Outright Approval Uses

2.1 Subject to all other provisions of this Bylaw and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the MC-1 District and MC-2 District and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the MC-1 and MC-2 Districts.

2.2.1C [Cultural and Recreational]

- Library.
- Museum or Archives.

2.3 Conditions of Use

2.3.4 All uses listed in section 2.2 of this Schedule shall be carried on wholly within a completely enclosed building except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this Bylaw continues to apply;
- (c) restaurant;
- (d) display of flowers, plants, fruits and vegetables;
- (e) neighbourhood public house;
- (f) vehicle dealer;
- (g) transportation and storage uses; and

(h) lumber and building materials establishment.

3 Conditional Approved Uses

3.1 Subject to all other provisions of this Bylaw, including section 3.3.3, and the provisions and regulations of this Schedule, the Development Permit Board may approve any of the uses listed in section 3.2, subject to the conditions of section 3.3, and including such other conditions as it may decide, provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.1 The uses listed in section 3.2.1 may be permitted in the MC-1 and MC-2 Districts.

3.2.1C [Cultural and Recreational]

- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

3.2.2 The uses listed in section 3.2.2 may be permitted only in the MC-1 District.

3.2.2.C [Cultural and Recreational]

- Artist Studio, Subject to section 11.18 of this bylaw.

3.2.3C [Cultural and Recreational]

- Artist Studio - Class B, subject to section 11.18 of this Bylaw, but only if the change of use applies to floor space existing as of September 10, 1996 and additions do not exceed a maximum of 10 percent of the existing floor space.

3.3 Conditions of Use

3.3.3 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this Bylaw continues to apply;
- (c) display of flowers, plants, fruits and vegetables;

- (d) neighbourhood public house;
- (e) vehicle dealer;
- (f) transportation and storage uses;
- (g) lumber and building materials establishment; and
- (h) farmers' market.

4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations.

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m, provided that he first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 No front yard or front setback shall be permitted except that the Director of Planning may permit:

- (a) a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided;
- (b) a front setback to improve the livability of dwelling uses or community care facilities or group residences above grade; provided that in both cases he first considers:
 - (i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (ii) the submission of any advisory group, property owner or tenant.

4.4.2 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required.

4.5.2 Where a side yard is provided, it shall have a minimum width of 0.9 m.

4.5.3 In the case of a corner lot, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Any portion of a building containing residential uses, and any portion of a building above the first storey and below the fourth storey, except for open roof gardens at the second storey floor level, shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.3 All portions of a building at the fourth storey and above shall be set back 9.1 m from the rear property line across the full width of the site, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.75.

4.7.2 The following shall be included in the computation of floor space ratio:

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

5 Relaxation of Regulations

5.1 The Director of Planning may relax the maximum height, location regulations and floor area in section 2.2.A for accessory buildings and accessory uses except that, in any event, the relaxed height shall not exceed the maximum prescribed in section 4.3.1 and the relaxed floor space shall not exceed 33-1/3 percent of the gross floor area of the principal and accessory uses combined.

5.2 The Director of Planning may, in the case of a dwelling unit located above the first floor, relax the horizontal angle of daylight requirement of section 4.10.1 having regard to the livability of the resulting dwelling units and provided that a minimum distance of 3.7 m of unobstructed view is maintained.

5.3 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as he deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

5.4 The Director of Planning may, provided that he first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner or tenant, relax the provisions of section 4.7.1 to permit an increase in the total floor space ratio up to a maximum of 2.50, subject to the following:

- (a) none of the following uses shall, subject to clause (b), exceed a floor space ratio of 1.50:
 - (i) cultural and recreational;
 - (ii) In MC-1, dwelling and, for the purpose of this clause, an Artist Studio and its associated residential unit which shall together be considered as a dwelling use;
 - (iii) institutional;
 - (iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;
 - (v) office;
 - (vi) parking;
 - (vii) service; and
 - (viii) other uses pursuant to section 3.2.Z;
- (b) as part of the increased total floor space ratio permitted under clause (a), the Director of Planning may relax the maximum floor space ratio for dwelling uses to up to 1.80;
- (c) In MC-2, dwelling and, for the purposes of this clause, an Artist Studio - Class B and its associated residential unit which shall together be considered as a dwelling use, the maximum floor space ratio shall be 1.0; and;
- (d) the maximum floor area in retail use shall be 1 300 m².

IC-3 District Schedule

1 Intent

The primary intent of this Schedule is to permit a mix of light industrial, live arts and theatre, residential and related uses that are generally compatible with adjoining residential and commercial districts. Service uses compatible with and complementing light industrial uses and a limited number of office uses are also permitted, but not general retail stores.

The general intent of the external design regulations is to achieve certain public objectives with respect to the historic Brewery Creek water course.

2 Outright Approval Uses

2.1 Subject to all other provisions of this Bylaw, including the additional regulations in section 11.3 of this Bylaw, and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

2.2.C [Cultural and Recreational]

- Club.
- Fitness Centre.
- Hall.
- Theatre.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a retail store and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this Bylaw, including section 3.3.3, and the additional regulations in section 11.3 of this Bylaw, and the provisions and regulations of this Schedule, the Development Permit Board may approve any of the uses listed in section 3.2, subject to the conditions of section 3.3, and including such other conditions as it may decide, provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.C [Cultural and Recreational]

- Artist Studio, subject to the provisions of section 11.18 of this Bylaw.
- Bingo Hall.
- Casino - Class 1.
- Community Centre or Neighbourhood House.

3.3 Conditions of Use

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

4 Regulations

All uses approved under sections 2 and 3 of this Schedule shall be subject to the following regulations:

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m.

4.4 Front Yard

4.4.1 No front yard shall be required.

4.5 Side Yards

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R District, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R District.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum width of .9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where he is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 3.00, subject to the following:

- (a) the maximum floor space ratio shall be 1.00 for all uses other than artist studio, manufacturing uses, retail store, school, theatre, transportation and storage uses, and wholesaling - class A;
- (b) the maximum floor space ratio shall be 2.5 for artist studio and the associated residential unit;
- (c) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m².

4.7.4 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board or Director of Planning, the Development Permit Board or Director of Planning may increase the maximum floor space ratio for any one building, which includes one or more of such facilities. The Development Permit Board or the Director of Planning will require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates. In determining the increase in floor area that may be permitted, the Development Permit Board or Director of Planning shall consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area;
- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) all applicable policies and guidelines adopted by Council.

4.7.5 The Director of Planning or the Development Permit Board may, for any development where a residential unit is being provided in conjunction with and forming an integral part of an artist studio, permit an increase in floor space ratio, subject to prior approval by City Council, and the securing of a Housing Agreement and provided that the residential unit is occupied by persons receiving income equal to or less than the income defined by the British Columbia Housing Management Corporation as ‘core need’. In determining the amount of the increase in floor space ratio that may be permitted by this section 4.7.5, the Director of Planning or the Development Permit Board, with advice from the Manager of the Housing Centre and the Manager of Real Estate, shall consider:

- (a) the cost to the developer of adhering to the conditions of the housing agreement;
- (b) the value of the increased floor area;
- (c) the value of any relaxation of other regulations;
- (d) the impact upon livability and environmental quality of the neighbourhood; and
- (e) all applicable policies and guidelines adopted by Council.

CD Districts (DD) Downtown District

Bylaw No. 4911

A Bylaw to Amend Bylaw No. 3575, Being the Zoning and Development Bylaw.

THE COUNCIL OF THE CITY OF VANCOUVER in open meeting assembled enacts as follows:

1. The plan attached to and forming an integral part of Bylaw No. 3575 and designated as the “Zoning District Plan” and marked as Schedule “D” to said Bylaw is hereby amended according to the plan marginally numbered Z-178 annexed to this Bylaw and marked as Schedule “D” hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule “D” of said Bylaw No. 3575 insofar as the same are changed, modified or varied thereby, and the said Schedule “D” annexed to said Bylaw No. 3575 shall be deemed to be and is

hereby declared to be amended accordingly, and the said Schedule “D” attached to this Bylaw is hereby declared to be and shall form an integral part of said plan marked as Schedule “D” to said Bylaw No. 3575, as if originally incorporated therein, and shall be interpreted accordingly.

2. The two areas shown outlined in black on the said plan are rezoned a Comprehensive Development District to be known and described as “Downtown District (DD)”.

3. The only uses permitted within the said areas and the only uses for which development permits may be issued, as prescribed in detail in the Official Development Plan Bylaw No. 4912, are:

- (a) commercial uses, including a body-rub parlour;
- (b) residential uses;
- (c) institutional uses;
- (d) industrial uses (light);
- (e) parks and open spaces;
- (f) public uses and facilities;

and other similar use or uses customarily ancillary to such uses, subject to the form, location and any special characteristics being in conformity with any Official Development Plan, Bylaw or applicable policies and guidelines adopted by Council, and subject to such other conditions not inconsistent therewith which the Development Permit Board in its discretion may prescribe.

4. Any person wishing to carry out any development in the said district shall submit such plans and specifications as may be required by the Director of Planning.

5. No development permit shall be issued for any development unless such permit shall have received the approval of the Development Permit Board, unless otherwise approved by the Director of Planning pursuant to section 3.3 of the Zoning and Development Bylaw.

6. This Bylaw shall come into force and take effect on and after the date of the passing hereof.
DONE AND PASSED in open Council this 4th day of November, 1975.

Appendix D Section 4 of the *Zoning and Development Bylaw*, amended up to January 1, 2012

4.1 Development Permit Applications

4.1.1 Every applicant for a development permit or an amendment thereto shall submit to the Director of Planning an application therefor in writing on forms furnished for such purpose, and the Director of Planning may require the correctness of the information supplied in said application to be verified by statutory declaration.

4.1.2 Every such application shall state the legal description and location of the site, and the purpose of the proposed development together with such further or additional information as the Director of Planning may require.

4.1.3 Every such application shall be accompanied by such number of plans or drawings as may be required by the Director of Planning, but in no case less than three, sufficient to identify the site and to describe fully the proposed development. All plans or drawings other than for one set shall become the property of the City. The Director of Planning may, however, accept the submission of an application without plans or drawings if in his opinion the development is of a minor nature. The Director of Planning may require additional information to identify development within the immediate surroundings and may, if he deems it necessary, require the applicant to furnish a plan of survey of the site verified by a British Columbia Land Surveyor.

4.1.4 All plans or drawings submitted shall be drawn in metric measurements[1] on substantial paper, mylar or other material satisfactory to the Director of Planning, to a scale of not less than 1:100 metric or such less scale as the Director of Planning may approve, and shall be fully dimensioned, accurately figured, explicit and complete. The Director of Planning may, where circumstances warrant, accept plans and drawings in their equivalent imperial measurements.

4.1.5 The Director of Planning may, in his discretion, accept with any development permit application submitted in preliminary form, plans or drawings not in compliance with sections

4.1.3 and 4.1.4, provided that such plans or drawings are sufficient to identify the site and satisfactorily indicate preliminary development information.

4.1.6 No development permit shall be issued without the prior submission of plans or drawings in compliance with the requirements of sections 4.1.3, 4.1.4 and 4.1.5.

4.1.7 No development permit shall be issued without the prior submission of plans or drawings showing the proposed development or change of use to be in compliance with the provisions of any bylaw regulating the provision of parking and loading within the City of Vancouver.

4.2 Development Permit Application Time Limits

4.2.1 Unless otherwise approved, refused or subject to limitations in time as may be imposed by the Director of Planning or the Development Permit Board, any development permit application

shall be void 12 months from the date of application.

4.2.2 The Director of Planning may allow an extension or extensions of the time period specified in section 4.2.1 for additional periods, if the same is warranted by the circumstances. In no case shall any extension or extensions exceed in total 12 months.

4.2.3 If within thirty days or such longer period as may be agreed by the applicant from the date on which the applicant has furnished all the information and material required by the Director of Planning in accordance with the last preceding section, no development permit has been issued to such applicant, then the issue of the development permit shall be deemed to have been refused, so as to enable such applicant to exercise his right to appeal, provided always that if the Council pursuant to the terms of Section 570 of the Vancouver Charter has withheld or has authorized its proper officer to withhold the issuance of a development or building permit relative to the property in question, then the issue of a development or building permit shall not be deemed to have been refused during such period that issuance of such development or building permit so continues to be withheld.

4.3 Development Permit Issuance

4.3.1 When such application for a development permit and also the terms of the proposed development conform to the provisions of this Bylaw, the Director of Planning or his nominee shall issue a development permit and return one set of the approved plans to the applicant. Of the remaining sets of plans or drawings the City may retain such number as required for record purposes.

4.3.2 The approval of plans or drawings and the issuing of a development permit and any inspection in connection therewith made by the Director of Planning or his accredited representatives shall not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with the provisions of this Bylaw.

4.3.3 The approval of any application and plans or drawings, or issuing of a development permit, shall not prevent the Director of Planning from thereafter requiring the correction of errors or from prohibiting a development from being carried out when the same is in violation of this or any other Bylaw.

4.3.4 Save and except as provided in this Bylaw, it shall be unlawful for any person to erase, alter or modify any development permit including the application therefor or any plans or drawings accompanying the same.

4.3.5 The issue of a development permit shall not absolve the applicant from complying with all City Bylaws.

4.3.6 In the event of a discrepancy between any written description and the plans or drawings the written description shall prevail.

4.3.7 The Director of Planning shall upon application being made therefor issue a development permit in accordance with any decision of the Board of Variance.

4.4 Development Permit Amendment

4.4.1 If at any time it is desired to alter in any manner, or to deviate from, the particulars of the application or plans or drawings previously submitted for which a development permit has already been issued, a new application shall be made. However, if an amendment is of a minor nature whereby a new application is deemed to be unnecessary, the Director of Planning may waive this requirement and endorse any necessary amendment to the application, plans or drawings and development permit accordingly.

4.5 Development Permit Time Limits

4.5.1 Any development permit issued shall be void 12 months after the date of issue of same unless:

- (a) the development authorized thereunder shall meanwhile have been commenced; or
- (b) a building permit has been issued and is unexpired.

4.5.2 Any development permit issued shall be void 24 months after the date of issuing unless the development authorized thereunder shall meanwhile have been completed in compliance with all conditions attached thereto.

4.5.3 The Director of Planning may allow an extension or extensions of the periods specified in sections 4.5.1 and 4.5.2 above for additional periods if the same is warranted by the circumstances.

4.5.4 The Director of Planning may renew on one occasion only, and for a period not exceeding 12 months, a development permit which has become void, provided that at the time of such renewal the permit has not been void for a period of more than 12 months.

4.5.5 The Director of Planning may in the case of a public utility grant a development permit valid to such date as he may set but in no case for a period longer than 120 months after the date of issue of said permit.

4.5.6 Where a building has been destroyed or demolished, any development permit authorizing its use or form of development shall be deemed to be void and expired.

4.5.7 Where a building has been destroyed by fire, any conditional approval use of the building existing at the time of its destruction or demolition shall be issued a development permit authorizing its continuance in the repaired or reconstructed building if:

- (a) the use is configured in the same way as it lawfully existed immediately prior to the fire; and
- (b) a development permit authorizing the repair and reconstruction of the building is issued within 90 days of the building's destruction or demolition.

4.5.8 The Director of Planning may renew, on more than one occasion, a development permit issued with specified time limitations where the conditions of approval have not changed.

4.6 Building Permit Validity

4.6.1 Notwithstanding the provisions of any other Bylaw, no building permit issued for any operation with respect to which a development permit is required under this Bylaw shall be valid unless and until a development permit has been issued.

Appendix E Part 1A &1B of Division C: Administration – Building, Vancouver Building Bylaw amended up to January 30, 2007.

Section 1A.1. General

1A.1.1. Administration

1A.1.1.2. Intent

1) This Bylaw is enacted to set standards in the general public interest. It is enacted and retained on the understanding and specifically expressed condition that it creates no duty whatsoever on the city, the Chief Building Official or any employee of the city to enforce its provisions, and on the further condition that a failure to administer or enforce its provisions, or the incomplete or inadequate administration or enforcement of its provisions, shall not give rise to a cause of action in favour of any person whatsoever. The issuance of any permit, including an occupancy permit or re-occupancy permit, is not a representation, warranty or statement that this Bylaw has been complied with, and the issuance thereof in error shall not give rise to a cause of action. Accordingly, words defining the responsibilities and authority of the Chief Building Official shall be construed to be internal administrative directions and not as creating a duty.

1A.1.1.3. Determining Compliance

1) No person shall rely upon any permit as establishing compliance with the Bylaw or assume or conclude that the Bylaw has been administered or enforced according to its terms and such person is personally responsible for making such determination.

Section 1A.2. General Responsibilities

1A.2.1. Responsibilities

1A.2.1.1. Contravention

1) No person shall fail to comply with an order or notice issued by the Chief Building Official.

1A.2.1.2. No Work Without Permit

1) No person shall work or authorize or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.

1A.2.1.3. Deviation Needs Prior Approval

1) No person shall deviate from the plans and specifications forming part of the building permit, or omit or fail to complete prior to occupancy, work required by the said plans and specifications without first having obtained in writing the approval of the Chief Building Official to do so.

1A.2.1.4. Unsafe Conditions

1) No person who is an owner of a building, and no person who is involved in the construction, reconstruction, demolition, alteration, removal, relocation or occupancy of a building shall cause, allow or maintain any unsafe condition.

1A.2.1.7. False Information

1) No person shall knowingly submit false or misleading information to the Chief Building Official.

Section 1A.3. Obligations of the Owner

1A.3.1. General Responsibilities

1A.3.1.1. Remove Unsafe Conditions

1) When a building or part thereof is in an unsafe condition, the owner shall forthwith take all necessary action to put the building in a safe condition.

1A.3.1.2. Right of Entry

1) Every owner shall allow the Chief Building Official and any person authorized to act on behalf of the Chief Building Official to enter any building or premises at any reasonable time for the purpose of administering and enforcing this Bylaw.

1A.3.1.3. Permit Required

1) Every owner shall obtain all permits or approvals prior to commencing the work to which they relate.

1A.3.1.4. Plans Required on Site

1) Every owner shall ensure that the plans and specifications on which the issuance of the building permit was based are available at the site of the work for inspection during working hours by the Chief Building Official or any person authorized to act on behalf of Chief Building Official.

1A.3.1.5. Damage to Public Property

1) Every owner is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of undertaking work for which a permit was required.

1A.3.1.6. Site Cleared of Debris

1) Despite the provisions of Subsection 8.1.1., every owner shall ensure that upon completion of demolition procedures, all debris and fill shall be cleared and the site levelled or graded, to the satisfaction of the Chief Building Official.

1A.3.2. Administrative Responsibilities

1A.3.2.1. Notice Prior to Work

- 1) Every owner shall, prior to commencing work, give notice in writing to the Chief Building Official, of
 - a) the name, address and telephone number of
 - i) the constructor or other person in charge of the work,
 - ii) the designer reviewing the work, and
 - iii) any inspection or testing agency engaged to monitor the work, and

1A.3.3. Inspections

1A.3.3.1. Notice by Owner

- 1) Every owner shall give notice to the Chief Building Official with at least 24 hours warning
 - a) of intent to do work that is required or ordered to be inspected during construction,
 - b) of intent to cover work that is required or ordered to be inspected prior to covering
 - c) when work has been completed so that a final inspection can be made.

1A.3.3.2. Reinspection Fees

- 1) Every applicant for a reinspection of any portion of a project, which has been previously inspected and where there was a finding of faulty or incomplete work or materials, shall first pay the applicable reinspection fees set out in the Fee Schedule.

1A.3.3.3. Uncovering Work

- 1) When required by the Chief Building Official, every owner shall uncover and replace at the owner's own expense any work that has been covered without inspection contrary to this Bylaw or an order issued by the Chief Building Official.

1A.3.4. Compliance

1A.3.4.1. Owner Responsible for Compliance

- 1) The granting of a permit, the approval of the drawings and specifications or the making of inspections by the Chief Building Official shall not in any way relieve the owner of a building from the full responsibility for carrying out the work or having the work carried out in accordance with this Bylaw including ensuring that the occupancy of the building, or any part thereof, is in accordance with terms of the occupancy permit, and including compliance with any special conditions made under the provision of Article 1A.6.1.4.

1A.3.4.2. Assure Compliance

- 1) When required by the Chief Building Official, every owner shall provide to the Chief Building Official letters in the forms set out in Schedules A, B1, B2, C-A and C-B to assure
 - a) compliance with this Bylaw and with any permits issued, and

b) that the drawings submitted for a building permit conform substantially with the approved Development permit drawings, except that where differences exist, it shall be the responsibility of the owner to make application for a “Development Permit Amendment” as required by the Zoning and Development Bylaw.

1A.3.4.3. Tests to Prove Compliance

1) Where required by the Chief Building Official every owner shall make or have made at the owner’s own expense, tests or inspections, as necessary to prove compliance with this Bylaw and shall promptly file a copy of all such test or inspection reports with the Chief Building Official.

1A.3.4.4. Up-to-Date Survey

1) Every owner shall give the Chief Building Official a survey, certified by a registered land surveyor not less than 30 days before the date of receipt by the Chief Building Official

a) of an existing building and site, when required from time to time by the Chief Building Official, to substantiate the building’s location, size, including appendages whether above, at or below ground level, relative to the site, or its relationship to neighbouring grades, and

b) of a new building and site, upon completion of all foundations and footings and before any further construction, including the elevation of a bench mark on the front of the foundation wall, to substantiate its size, location, and elevation.

Section 1A.5. Obligations of the Chief Building Official

1A.5.1 Responsibilities

1A.5.1.1. Administrator

1) The Chief Building Official is responsible for the administration of this Bylaw.

1A.5.1.2. Filing Documents

1) The Chief Building Official shall keep copies of all applications received, permits and orders issued, inspections and tests made and of all papers and documents connected with the administration of this Bylaw for such time as is required by law.

1A.5.1.3. Notices or Orders

1) The Chief Building Official shall issue in writing such notices or orders as may be necessary to inform the owner where a contravention of this Bylaw has been observed, in the manner set out in Subsection 1A.6.3.

1A.5.1.4. Issue Permits

1) The Chief Building Official shall issue a permit when, to the best knowledge of the Chief Building Official, the applicable conditions as set forth in this Bylaw have been met.

1A.5.1.5. Inspection of Records

1) Plans and documents filed pursuant to the provisions of this Bylaw shall not be deemed to be public records, but may be open to inspection with the permission of the Chief Building Official.

1A.5.1.6. Fees for Inspection of Records

1) A fee as set out in the Fee Schedule shall be charged in advance for the inspection of records referred to in Article 1A.5.1.5.

Section 1A.6. Powers of the Chief Building Official

1A.6.1. Authority

1A.6.1.1 Legal Entry

1) The Chief Building Official, and any person authorized to act on behalf of the Chief Building Official, may enter any building or premises at any reasonable time for the purpose of administering or enforcing this Bylaw, or if there is reason to believe an unsafe condition exists.

1A.6.1.2. Scope of Orders

1) The Chief Building Official may order, in the manner set out in Section 1A.6.3.,

- a) a person who contravenes any provision of this Bylaw, to comply with the provision within the time period specified,
- b) work to stop on the building or any part thereof, if such work is proceeding in contravention of a provision of this Bylaw, or if there is deemed to be an unsafe condition,
- c) the removal of an unauthorized encroachment on public property,
- d) the removal of any building or part thereof constructed in contravention of a provision of this Bylaw,
- e) the cessation of any occupancy in contravention of a provision of this Bylaw,
- f) the cessation of any occupancy if an unsafe condition exists, and
- g) the correction of an unsafe condition.

1A.6.1.3. Proof of Compliance

1) The Chief Building Official may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundations be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition complies with this Bylaw.

1A.6.1.4. Permits for Existing Buildings Not in Compliance

1) Despite a building or occupancy not being in complete compliance with this Bylaw, the Chief Building Official may issue a permit if, in the opinion of the Chief Building Official, it is warranted, in which case the permit may be issued subject to conditions.

1A.6.1.5. Variance from Bylaw

1) The Chief Building Official may issue occupancy permits for buildings which vary in a minor respect from the requirements of this Bylaw if, in the opinion of the Chief Building Official, such variation will not substantially lessen the objectives thereof.

1A.6.1.6. Partial or Staged Permits

1) Before all the plans of the building have been accepted, the Chief Building Official may issue a permit to excavate or to construct a portion of a building at the risk of the owner with, if necessary, conditions to ensure compliance with this Bylaw.

1A.6.1.7. Conditional Permits

1) The Chief Building Official may issue a permit for the whole building conditional upon the submission, at an acceptable time, of additional information not available at the time of issue, if such information is of secondary importance and is of such nature that the withholding of the permit until its availability would delay the work unreasonably, with the understanding that if such information is not available at the accepted time the work will be stopped.

1A.6.1.8. Permit Refusal

- 1) The Chief Building Official may refuse to issue any permit
 - a) whenever information submitted is inadequate to determine compliance with the provisions of this Bylaw,
 - b) whenever incorrect information is submitted,
 - c) that would authorize any building work or occupancy that would not be permitted by this Bylaw, or
 - d) that would be prohibited by any other regulation.
- 2) An applicant or owner, who requests, shall be provided with the reasons for a refusal to grant a permit by the Chief Building Official.

1A.6.1.10. Permit Revocation

- 1) The Chief Building Official may revoke a permit after written notice is given to the permit holder if
 - a) there is a contravention of any condition under which the permit was issued,
 - b) the permit was issued in error, or
 - c) the permit was issued on the basis of false or incorrect information.

1A.6.1.12. Occupancy Prior to Completion

1) The Chief Building Official may issue an occupancy permit, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a building or a part thereof for the approved use, prior to commencement or completion of the construction or demolition work.

1A.6.1.13. Owner's Assurance

1) Before issuing an occupancy permit, the Chief Building Official may require the owner to provide letters of assurance, in accordance with Article 1A.8.4.1., stating that this Bylaw has been complied with and the necessary permits have been obtained and amended where necessary

Section 1A.7. Permits, Applications and Fees

1A.7.1. Permits

1A.7.1.1. When a Permit is Required

1) A permit is required whenever work regulated by this Bylaw is to be undertaken.

1A.7.1.2. Additional Permits

1) In addition to the permits required in Article 1A.7.1.1., permits with respect to building components and services, such as gas, and electricity, may be required by the Chief Building Official.

1A.7.2. Application for Permit

1A.7.2.1. Owner Requirement

1) To obtain a permit, the owner shall file an application in writing on the prescribed form.

1A.7.2.2. Application Form

- 1) Except as otherwise allowed by the Chief Building Official every application shall
- a) identify and describe in detail the work and occupancy to be covered by the permit for which an application is made,
 - b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot,
 - c) include plans and specifications to standards conforming with Subsections 2.2.2. to 2.2.6., unless otherwise accepted by the Chief Building Official, and show the occupancy of all parts of the building,
 - d) state the valuation of the proposed work and be accompanied by the required permit fee, and
 - e) state the names, addresses and telephone numbers of the owner, designers and constructors.

1A.7.2.3. Valuation for Permit

- 1) The valuation to be shown on the application for the permit shall reflect the total current monetary worth of all construction or work related to the building, including interior finishes, roofing, electrical, plumbing, drains, heating, air-conditioning, fire extinguishing systems, elevators, and any other equipment or materials, including the use of hoisting or erection devices necessary for completion of the construction.
- 2) In addition to Sentence (1), the valuation shall include the current monetary worth of all plans and specifications, labour and fees involved in the design, investigative testing, consulting services, construction labour and management, contractor's profit and overhead, sales taxes, and construction insurance, involved for the building.
- 3) The current monetary worth, referred to in Sentences (1) and (2) shall include the value of all labour even if provided by the owner, or donated voluntarily by others, and the value of all materials, whether donated, recycled or used.
- 4) The current monetary worth of all portions of the building, including its mechanical, electrical, plumbing, drainage and gas installations, shall also be included in the valuation for the permit application, despite the fact that other permits and fees may be required by another Bylaw or statute for the individual installations.

1A.7.2.5. Fee Schedule

- 1) Permit fees shall be calculated in accordance with the Fee Schedule to this Bylaw, and the fees for construction without a permit are as outlined in Article 1A.7.9.1.

1A.7.2.6. No Refund

- 1) Except as permitted in Article 1A.7.2.7., no permit fees or part thereof paid to the City shall be refunded if
 - a) construction authorized by a permit has commenced,
 - b) the permit has expired pursuant to Article 1A.7.6.1., or
 - c) the application has lapsed as outlined in Article 1A.7.2.8.

1A.7.2.7. Partial Refund

- 1) If construction which would require a permit by Subsection 1A.7.1. has not been commenced and the Chief Building Official approves, the Director of Finance may refund a portion of the fees paid to the City for either an application for a permit, or a permit, except that all costs owing to the City with respect to actions required by Article 1A.6.2.4. shall first be recovered.

1A.7.2.8. Lapsed Application

- 1) When an application for a permit has not been substantially completed in conformance with the requirements of this Bylaw within 6 months after the date of filing, or within 6 months of the

last substantial activity with respect to the application, the application shall be deemed to have lapsed.

1A.7.2.9. Renewed Application

1) If the Chief Building Official is of the opinion that substantial completion of the requirements of an application for a permit has been prevented because of reasonable circumstances, the Chief Building Official may renew the application once only for a period of 6 months provided that no more than 3 months have passed since the date the application was deemed to have lapsed, subject to any applicable amendments to the Bylaw since the date of filing the application.

1A.7.5. Extensions

1A.7.5.1. Chief Building Official May Extend Permit

1) If the Chief Building Official is of the opinion that substantial completion of the work has been prevented because of exceptional circumstances, the Chief Building Official may, with respect to a permit that has not expired and on the written request of the owner accompanied by the requisite extension fee, extend the permit once only provided that, in the meantime, no applicable amendments have been made to this Bylaw.

1A.7.5.2. Council May Extend Permit

1) Despite the fact that a permit has already been extended pursuant to Article 1A.7.5.1., the Council may extend the permit for such further period or periods it deems appropriate and the Chief Building Official, upon payment of an extension fee, shall thereupon endorse the further extension or extensions on the permit.

1A.7.6. Expired Permits

1A.7.6.1. When a Permit Expires

1) Except as provided in Articles 1A.7.5.1. and 1A.7.5.2., a permit shall expire and the rights of the owner under the permit shall terminate if in the opinion of the Chief Building Official

- a) the work authorized by the permit is not commenced within 6 months from the date of issue of the permit,
- b) the work although commenced is not continuously and actively carried out thereafter,
- or
- c) work has been substantially discontinued for a period of 6 months.

1A.7.9. Construction Without a Permit

1A.7.9.1. Work Without Permit Fee

1) If any construction for which a permit is required by this Bylaw has been commenced before a permit has been issued by the Chief Building Official, the owner of the real property on which

the construction has been or is being done, shall pay to the City, double the fee set out in the Fee Schedule or \$5000 plus the fee set out in the Fee Schedule, whichever is the lesser amount.

Part 1B of Division C: Administration - Plumbing

1B.1.1. Responsibilities

1B.1.1.1. Duties of the Plumbing Inspector

- 1) The Plumbing Inspector shall examine and review for acceptance plans and specifications for plumbing system and sprinkler system permits.
- 2) The Plumbing Inspector shall make inspections for every plumbing system and sprinkler system as are required by this Bylaw.

1B.1.1.2. Authority of Plumbing Inspector

- 1) The Plumbing Inspector, if of the opinion that the plumbing system or any part of it in any building is defective, unsanitary or inadequate, may notify the owner or occupant thereof of such condition and may order that such plumbing system or part thereof, be placed in a proper, safe and sanitary condition.
- 2) The Plumbing Inspector, if of the opinion that the plumbing system or any part of it in any building has become dangerous or defective on account of the settlement of the building or through abuse, accident or for any other cause whatsoever, may order the owner or occupant thereof to conduct a smoke test on the waste and vent pipes of the building to ascertain whether any dangerous or defective condition exists.

1B.1.1.3. Powers of the Plumbing Inspector

- 1) Where, in any building or associated site, it is desired to install special fixtures, machines or appliances for which no provision has been made in this Bylaw, the Plumbing Inspector may issue a permit for the installation of such items if in the opinion of the Plumbing Inspector their installation does not disturb or interfere with the existing plumbing system in the building or associated site.
- 2) Where, in or on any existing building or associated site, physical conditions make it necessary to deviate from any provision of this Bylaw, the Plumbing Inspector may allow such variations which in the opinion of the Plumbing Inspector are necessary, provided the owner of the building gives to the Plumbing Inspector a statement documenting the facts of the deviation and stating that the owner has accepted full responsibility for them.

1B.1.2. Permits

1B.1.2.1. When Permits Required

- 1) Except as provided in Sentence (2), no person shall construct, extend, alter, renew or repair a plumbing system or sprinkler system or any part of either, prior to obtaining a permit.

2) A permit is not required when a valve, faucet, fixture, fixture outlet pipe, or service water heater is repaired or replaced, a stoppage is cleared or a leak is repaired provided no change to the other piping is required.

1B.1.2.2. Application

1) An application for a plumbing system permit or a sprinkler system permit shall be made in writing on the form provided for that purpose and shall be accompanied by the required fee as set out in the Fee Schedule.

1B.1.2.3. Granting of Permits

1) Except as provided in Sentences (2), (3) and (4), only a plumbing contractor may be granted a permit to do plumbing work pursuant to Article 1B.1.2.1.

2) A person who is a licenced contractor may be granted a permit for the installation of sewers, sumps, catch basins and water lines outside of buildings, or a permit for the installation of backflow devices or similar protection devices inside a building.

3) An owner may be granted a permit to do plumbing work on a one-family dwelling which is owned and occupied or intended to be occupied by the owner provided the Plumbing Inspector is satisfied that the owner has the ability to adequately perform the work.

4) Only a sprinkler contractor may be granted a permit to install a sprinkler system in a building.

1B.1.2.4. Alterations Permit

1) If at any time during the installation, alteration or repair of a plumbing system it is necessary to deviate from the permit requirements, approval for such deviation shall first be obtained from the Plumbing Inspector, and where such deviation involves the installation of an additional fixture, an additional permit is required to do the work.

1B.1.3. Inspections and Tests

1B.1.3.1. New Systems

1) When a permit is required as described in Article 1B.1.2.1., the plumbing system shall not be put into use until it has been inspected and tested to the satisfaction of the Plumbing Inspector.

2) The permit holder shall notify the Plumbing Inspector when the work is complete and ready to be inspected or tested.

3) The Plumbing Inspector may require that tests of any material, fixture, pipe, fitting, valve, or any other component of a plumbing system or a sprinkler system be made, at the expense of the owner, to establish that such material, fixture, pipe, fitting, valve or component complies with this Bylaw.

1B.1.3.2. Existing Systems

1) The Plumbing Inspector, if of the opinion that an existing plumbing system is no longer satisfactory, may order the owner to test the system.

2) If the test referred to in Sentence (1) indicates a condition that could become dangerous or injurious to health, the Plumbing Inspector may order the owner to make alterations or replacements to the plumbing system.

Appendix F Duties and Responsibilities, *Vancouver Licence Bylaw* amended up to October 18, 2011.

3. (1) No person shall carry on within the City any business, trade, professional or other occupation without holding a subsisting City licence therefor.

(2) Every person applying for a licence shall, at the time of making the application, pay to the City the fee for such business, trade, profession or other occupation as specified in Schedule 'A' of this Bylaw.

(3) Every person who operates more than one store, branch, premises, or place of business in respect of any business, trade, profession or other occupation shall take out a separate licence in respect of each such separate store, branch, premises or other place of business
4. (1) All applications for licences pursuant to this Bylaw shall be made to the Inspector on the form provided for that purpose.

(2a) Notwithstanding any other section of this Bylaw, the Inspector may refer any application for a licence to Council who may grant or refuse the application.

(3) All applications for licences shall give the description in detail of the premises in or upon which the applicant intends to carry on the business, trade, profession or other occupation in respect of which the application for a licence has been made; and no person to whom a licence has been granted shall carry on such business, trade, profession or other occupation in or upon any premises other than those set forth on the said application and licence without first making an application pursuant to this section for a new licence or a transfer of such licence as hereinafter provided.

(4) All premises in or upon which the applicant proposes to carry on or conduct any business, trade, profession or other occupation in respect of which a licence is required to be held pursuant to this Bylaw shall comply with all relevant bylaws of the City before any such licence is granted; and the applicant shall, upon request, produce certificates or letters of approval as may be required by federal, provincial or municipal authorities.

(5) Subject to the provisions of this section the Inspector shall issue a licence to an applicant.

(6) Where a licence has not been issued to an applicant the Inspector shall not be required to refund to the applicant the amount of the applicable fee which is referred to in Schedule "A" of this bylaw as the "Non-Refundable Portion of Fee".
5. (1) Any person desiring to obtain a transfer of any licence, or interest in any licence, issued pursuant to this Bylaw and held by any other person, shall make an application the same as that required to obtain a licence under this Bylaw; and the powers, conditions, requirements and procedures relating to the granting and refusal of licences and appeals thereon, shall apply.

(2) No person who purchases the interest of, or part of the interest of, any person licenced pursuant to this Bylaw shall carry on or continue such business, trade, profession or other occupation without first having obtained a transfer of licence or a new licence.

(3) No person to whom a licence has been issued under this Bylaw shall change the location of the premises in which the business, trade, profession or other occupation is carried on without first having applied to the Inspector to have the licence altered to reflect the new location; and the powers, conditions, requirements and procedure relating to the granting or refusal of licences and appeals thereon, shall apply to all such applications.

6. (1) All licences issued under this Bylaw will be for the calendar year current at the time of the issuance of such licence, and will expire on December 31 of that calendar year except if:
- (a) a licence is sooner forfeited under this Bylaw;
 - (b) a licence is issued on a daily, weekly, or monthly basis; or
 - (c) the Inspector, under subsection (6) of this section 6, sets a different term for a licence.

(2) Every person whose licence expires on the 31st day of December in any year shall make application for a licence for the next year by the 1st day of January of that year or as soon thereafter as the business, trade, profession or other occupation is proposed to be conducted.

(3) Where the licence fee for any business, trade, profession or other occupation required to be licenced under this Bylaw is based on the capacity or accommodation of the premises, no person shall change the capacity or accommodation available without first having notified the Inspector and paid any additional licence fee payable as a result of such change.

(4) Where the licence fee for any business, trade, profession or other occupation required to be licenced under this Bylaw is based on the capacity or accommodation of the premises, no person shall change the capacity or accommodation available without first having notified the Inspector and paid any additional licence fee payable as a result of such change.

(5) Every licence issued pursuant this Bylaw shall be posted in a conspicuous place on the premises or on the thing or article in respect of which the licence is issued.

7. Every owner or occupier of any real property in the City shall give to the Inspector and to any member of his or her staff authorized by the Inspector for the purpose, such access at any reasonable hour to such real property and every part thereof and such information with respect thereto as may be reasonably required to enable necessary inspection to be made.
- (1) Every person who requires a copy of a licence must pay to the City a fee set out in Schedule B to this Bylaw.
 - (2) Every person who requires a change of business name or business trade name under a licence must pay to the City a fee set out in Schedule B to this Bylaw.
 - (3) Every person who requires a change of business address under a licence must pay to the City a fee set out in Schedule B to this Bylaw.
 - (4) Every person who requires a change of business licence category must pay to the city a fee set out in Schedule B to this Bylaw.

Appendix G *Liquor Control and Licensing Act* amended up to July 23, 2012

Part 2 — Requirements for Licenced Establishments

Requirement that applicant own or lease establishment

4 (1) A licence must not be issued or transferred to a person unless that person is

- (a) the owner of the establishment to which the licence relates, or
- (b) the lessee of the establishment under a lease that does not expire for at least 12 months after the date of issue or transfer of the licence.

(2) A licence must not be renewed for an establishment unless the licensee is the owner of the establishment to which the licence relates or provides evidence satisfactory to the general manager that the licensee is the lessee of the establishment under a lease of a duration that is satisfactory to the general manager.

General manager may require local approval

5 Before issuing a licence for an establishment, the general manager may require evidence of local government or first nation approvals in relation to the establishment, including any applicable zoning approvals.

Capacity

6 (1) Before the general manager

- (a) approves the issuance of a licence,
- (b) approves a structural alteration of or a change to the size of any area of a licenced establishment,
- (c) approves a transfer of a licence under section 21 (3) of the Act, or
- (d) approves an application for an increase in the person capacity of a licenced establishment,

the general manager must set the person capacity of the establishment, having regard to the public interest and the views of a local government or first nation if provided under section 10 or 53 of this regulation.

(2) Once the general manager has set the person capacity of an establishment in accordance with subsection (1), the general manager must refuse to issue, amend or transfer a licence for that establishment if the occupant load of the establishment is not equal to the person capacity.

(3) Despite subsection (2), if the occupant load of an establishment is less than the person capacity of the establishment set under subsection (1), the general manager may issue, amend or transfer the licence for that establishment after reducing the person capacity to equal the occupant load.

(4) It is a term and condition of a licence that there must not be, in the licenced establishment at any one time, more persons than the person capacity set under subsection (1) or (3).

(5) This section does not apply to a U-Brew, U-Vin, licensee retail store, distillery, brewery or a winery without a winery lounge endorsement.

Structural alterations

7 Structural alteration of or change to the size of any area of a licenced establishment, except for U-Brews and U-Vins, must not be made without the written authorization of the general manager.

Part 3 — Licences

Division 1 — Liquor Primary, Liquor Primary Club and Food Primary Licences

Liquor primary licences and liquor primary club licences

8 (1) A liquor primary licence in respect of an establishment may be issued, renewed or transferred if the primary purpose of the business carried on in the establishment is beverage service, entertainment or hospitality.

(2) For the purposes of subsection (1), the primary purpose of the business carried on in the following establishments is not beverage service, entertainment or hospitality:

- (a) a facility frequented predominantly by or directed at minors and other young persons;
- (b) Repealed. [B.C. Reg. 79/2012.]
- (c) a restaurant;
- (d) a take-away service;
- (e) a motor vehicle;
- (f) a video games arcade.

(2.1) Repealed. [B.C. Reg. 79/2012.]

(3) A liquor primary club licence may be issued, renewed or transferred only in respect of a club.

(4) Neither a liquor primary licence nor a liquor primary club licence may be transferred from one establishment to another unless the new establishment is considered by the general manager to be

- (a) located within a reasonably close distance from the existing establishment, and
- (b) within the same community as the existing establishment.

(5) Repealed. [B.C. Reg. 79/2012.]

Terms and conditions for liquor primary or liquor primary club licences

9 The following terms and conditions apply to liquor primary licences and liquor primary club licences:

- (a) minors are not allowed in the licenced establishment unless

- (i) they are employed or retained as entertainers to entertain in the establishment,
 - (ii) they are allowed to be in the establishment by the general manager in the public interest, or
 - (iii) the establishment is a stadium, concert hall, convention centre, train, aircraft, motor vessel, airport or any other establishment the primary purpose of which is not the service of liquor and minors are allowed by the general manager to be in the establishment;
- (b) subject to limitation by the general manager, hours of liquor service must start no earlier than 9:00 a.m. and end no later than 4:00 a.m. the next day;
- (c) unless exempted by the general manager, food and non-alcoholic beverages must be available at reasonable prices to the patrons.

Application for liquor primary or liquor primary club licence

10 (1) For the purposes of section 11.1 (1) of the Act, a liquor primary licence and a liquor primary club licence are prescribed categories of licences.

(2) If a person applies for a liquor primary licence or a liquor primary club licence for an establishment, the general manager must give notice of the application to the local government or first nation for the area in which the establishment is located or proposed to be located unless the local government or first nation has indicated that it does not wish to receive notice.

(3) In considering an application for which notice has been given under subsection (2), the local government or first nation must, in providing comments with respect to the licence application, take into account the following criteria:

- (a) the location of the establishment;
- (b) the proximity of the establishment to other social or recreational facilities and public buildings;
- (c) the person capacity and hours of liquor service of the establishment;
- (d) the number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location;
- (e) the impact of noise on the community in the immediate vicinity of the establishment;
- (f) and (g) Repealed. [B.C. Reg. 26/2011, Sch. s. 1.]
- (h) the impact on the community if the application is approved.

(4) If the operation of the establishment as a licenced establishment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with section 11.1 (2) (c) of the Act.

(5) If the local government or first nation wishes to provide comments to the general manager, it must provide the following in writing:

- (a) its comments addressing the criteria in subsection (3) of this section;
- (b) if it has gathered the views of residents under subsection (4),

- (i) the views of the residents,
 - (ii) the method used to gather the views of the residents, and
 - (iii) its comments and recommendations respecting the views of the residents;
 - (c) its recommendations with respect to whether the licence should be issued;
 - (d) the reasons for its recommendations.
- (6) The written comments referred to in subsection (5) must be provided to the general manager within 90 days after the local government or first nation receives notice under subsection (2), or any further period authorized by the general manager in writing.

Food primary licences

11 (1) A food primary licence in respect of an establishment may be issued, renewed or transferred if the primary purpose of the business carried on in the establishment is the service of food during all hours of its operation.

(2) The following terms and conditions apply to a food primary licence:

- (a) minors are allowed in the establishment;
- (b) liquor must not be served unless the establishment is open for service of a varied selection of food items, including both appetizers and main courses, or their equivalent;
- (c) subject to limitation by the general manager, hours of liquor service must start no earlier than 9:00 a.m. and end no later than 4:00 a.m. the next day.

(3) The general manager may consider, in determining whether the primary purpose of the business carried on in the establishment is or will be the service of food during all hours of its operation, any or all of the following:

- (a) kitchen equipment;
- (b) furnishings and lighting;
- (c) menu;
- (d) type and hours of entertainment and games offered by the licensee;
- (e) advertising;
- (f) hours of operation;
- (g) financial records;
- (h) the ratio of receipts from food sales to receipts from liquor sales in the establishment;
- (i) any other relevant consideration that may assist in the determination.

Endorsement for lounge

12 (1) A person who holds a food primary licence or who is applying for a food primary licence in respect of an establishment that has a person capacity of at least 50 may apply for a lounge endorsement.

- (2) The general manager must set the person capacity of any area in respect of which a lounge endorsement is sought at the lesser of
- (a) 40 persons, and
 - (b) 20% of the person capacity of the interior of the principal area of the licenced establishment.
- (3) The general manager may approve 2 lounges for the same licenced establishment if the person capacity of each of the lounges does not exceed the person capacity in subsection (2) and one of the lounges is located on a patio.
- (4) If approval is given for 2 lounges under subsection (3) and both lounges are open for liquor service at the same time, the total at any one time of the number of persons in one of those lounges plus the number of persons in the other lounge must not exceed the number set by the general manager under subsection (2).
- (5) The following terms and conditions apply to a lounge endorsement:
- (a) food service must be available in the lounge;
 - (b) the licensee must not serve liquor in the lounge if the primary dining area of the licenced establishment is not open for service of its full food menu and liquor service;
 - (c) the lounge must, in the opinion of the general manager, appear to be an area that is distinct from the primary dining area of the licenced establishment.

Dual licensing

- 13** (1) Subject to subsection (2), a liquor primary licence and a food primary licence must not be issued in respect of the same establishment.
- (2) Subsection (1) does not apply to an establishment if
- (a) the licensee for the establishment would, but for subsection (1) of this section, hold, in respect of the establishment, a liquor primary licence and a food primary licence, as a result of the operation of Part 8,
 - (b) the licences referred to in paragraph (a) remain in good standing, and
 - (c) all renewals of or amendments to the licences referred to in paragraph (a) are effected in accordance with this regulation.

Division 3 — Special Occasion Licences

Special occasion licences

- 15** (1) The general manager must determine how frequently special occasion licences may be issued to an applicant and the days and hours during which each special occasion licence will be in effect.
- (2) A person issuing a special occasion licence under section 7 of the Act must endorse on the licence the maximum retail prices at which liquor may be sold and, except in the case of charitable events, the maximum retail prices of drinks served are to be set so as to recover only the operating costs of the event.

- (3) For the purposes of section 35 (c) of the Act, minors may be in a licenced establishment when a special occasion licence is in effect.
- (4) The local police authority or a delegate of the general manager must approve the application for a special occasion licence before that licence is issued.
- (5) If the general manager delegates to a person other than a member of the local police authority the power to approve an application for a special occasion licence, the person issuing the special occasion licence must, if directed to do so by the general manager, inform the local police authority, before the event to which the licence relates, of the nature, time and place of the event.
- (6) All liquor that is sold or served under a special occasion licence must be sold or served and consumed in the licenced establishment.
- (7) Subject to subsection (8) of this section, a person must not in any advertisement or other promotion of an event indicate that liquor will be sold or served.
- (8) In the case of an event held under a public special occasion licence, at which a number of manufacturers of wine, beer or other liquor are conducting tastings at one location, the event organizer may advertise the name of the event followed by the names of the participating liquor manufacturers.
- (9) If an event for which a special occasion licence is to be issued is to be held on lands or premises owned or operated by a local government or first nation or by the Provincial or Federal Government, the applicant must, before issuance of the licence, produce written permission for the event signed by an authorized official of that government or first nation.
- (10) A licenced establishment in which liquor is sold or provided under a special occasion licence must be enclosed and all means of access to the establishment must be supervised to the satisfaction of the local police authority.
- (11) Promptly after a special occasion licence has been cancelled or suspended under section 7, 20 or 22 of the Act, the licensee must surrender the licence to the general manager or to a delegate of the general manager.

Division 6 — Miscellaneous Terms and Conditions

Production of records

34 For the purposes of section 73 (1) of the Act, the following documents are prescribed in relation to a licensee:

- (a) liquor purchase records;
- (b) liquor sales records;
- (c) liquor disposal records;

- (d) food sales records;
- (e) sales records respecting other merchandise or services provided by the licensee that are incidental to the business of the licenced establishment;
- (f) agreements and contracts between the licensee and a liquor manufacturer or its agent or representative;
- (g) invoices and purchase receipts for all equipment and other inventory used in the operation of the licenced establishment;
- (h) lease and management contracts related to the licenced establishment;
- (i) employee records including names, addresses, salaries, primary job responsibilities, shift schedules and dates of employment;
- (j) records of any incidents or events that occurred in or adjacent to the licenced establishment;
- (k) records of court orders and judgments against a licensee respecting the sale, service or manufacture of liquor;
- (l) records of the quantity and price of liquor servings.

Purchase of liquor

35 (1) A licensee must not purchase liquor for the licenced establishment unless, at the time of the purchase, the licensee identifies himself or herself as a licensee and that purchase is made from

- (a) a liquor store designated in writing by the general manager, or
- (b) another person designated by the Liquor Distribution Branch.

(2) Subsection (1) does not apply to a licenced manufacturer of wine in respect of purchases of wine by that licensee from another licenced manufacturer of wine.

(3) A licensee must maintain a register of all liquor purchased and received by the licensee under a licence.

Sale of liquor purchased under licence

36 A licensee must not, under the authority of one licence, sell or provide liquor purchased under another licence, unless otherwise authorized by the general manager.

Posting floor plan and licence

37 A licensee must

- (a) post his or her licence in a conspicuous place in the licenced establishment, and
- (b) provide access to the approved floor plan of the licenced establishment on request of the general manager.

Adjoining areas and separation

38 (1) A licenced establishment must be separated from an unlicensed area in a manner that is satisfactory to the general manager.

(2) If one licenced establishment in respect of which one category of licence has been issued adjoins another licenced establishment in respect of which a different category of licence has been issued, the establishments must be separated in a manner that is satisfactory to the general manager.

Extension of hours for New Year's Eve

39 Despite any limits placed on the hours of liquor service of an establishment in respect of which a liquor primary licence, liquor primary club licence, winery licence or food primary licence has been issued, the general manager may extend the time stated on the licence for the hours of liquor service on December 31 to a time not later than 4:00 a.m. on January 1.

Dispensing liquor

40 (1) Unless otherwise authorized by the general manager, all liquor served in a licenced establishment must be dispensed from the original container in which the liquor was purchased from the Liquor Distribution Branch.

(2) A licensee must ensure that any automatic liquor-dispensing devices authorized by the general manager and used in the licenced establishment are used in accordance with the Act, this regulation and the terms and conditions of the licence.

(3) The dispensing of beverages containing liquor at a service bar must be done in full view of the patrons.

Liquor prices

41 (1) A licensee must, at the beginning of each day, set the price at which liquor is to be sold during that day.

(2) A licensee must not

(a) provide unlimited or unspecified quantities of liquor for a single price,

(b) use a sales strategy that is likely to promote or encourage intoxication, or

(c) except in the case of a licensee retail store, alter the price of liquor during a day after it has been set for that day under subsection (1).

(3) A licensee must make available to patrons a list that shows, for all types of liquor sold in the licenced establishment, the quantities in which and prices at which the liquor is sold.

Consumption of liquor in licenced establishments

42 (1) A person must not consume liquor in a licenced establishment unless that liquor has been purchased from or served by the licensee of that licenced establishment.

(2) A licensee must not allow consumption in the licenced establishment of liquor that was not purchased from or served by the licensee.

(3) A licensee, and the employees of the licensee, must not consume liquor while working in the licenced establishment.

(4) All liquor sold or served in a licenced establishment must be consumed there, and the licensee must not allow liquor, other than the following, to be taken from the licenced establishment:

(a) a bottle of wine that is unfinished by a patron and sealed by the licensee before being taken by that patron from the licenced establishment;

(b) liquor that is sold for consumption off premises in accordance with the Act, this regulation and the terms and conditions of the licence.

(5) A licensee who seals an unfinished bottle of wine in accordance with subsection (4) (a) must inform the patron of the requirements of section 44 of the Act.

(6) This section does not apply to a U-Brew or U-Vin.

Beverage service training

43 (1) For the purposes of this regulation and section 13 of the Act, "**training program**" means the training program entitled "Serving It Right: The Responsible Beverage Service Program", delivered under the auspices of a person or organization approved by the general manager.

(2) For the purposes of section 13 (1) of the Act, the following licence categories are prescribed:

(a) winery licences containing an endorsement referred to in section 18 of this regulation;

(b) winery licences and brewer's licences issued to establishments that provide samples in a sampling room designated by the general manager under section 53 (1) of the Act;

(c) liquor primary licences, liquor primary club licences, food primary licences, licensee retail store licences and special occasion licences.

(3) For the purposes of section 13 of the Act, the training program is prescribed.

(4) Repealed. [B.C. Reg. 133/2007, s. (a).]

(5) Successful completion of the training program by each person must be evidenced by a certificate of completion issued in the name of that person by an authority approved by the general manager.

(6) Repealed. [B.C. Reg. 133/2007, s. (a).]

(7) The following persons in the following situations are exempt from the requirement to complete the training program:

(a) an unpaid manager or unpaid server in a club that is operated under a liquor primary club licence;

(b) subject to any terms and conditions imposed under section 12 (2) and (3) of the Act, a server in a food primary establishment;

(c) an unpaid server in an establishment licenced under a private special occasion licence or a public special occasion licence;

(d) a person in whose name a private special occasion licence is issued, unless that person is acting on behalf of an organization, association or other organized group of persons.

(e) a server who

- (i) has successfully completed a liquor server training program required by another province and approved by the general manager, and
- (ii) is able to provide documentary proof of his or her successful completion of the program when requested to do so by the general manager, an officer of the Liquor Control and Licensing Branch or a peace officer.

(8) Subject to subsection (7) of this section, before allowing a person to manage or serve liquor in a licenced establishment to which section 13 of the Act applies, the licensee must verify that the person has successfully completed the training program.

(9) A person who claims to have successfully completed the training program must produce his or her certificate of completion when requested to do so by the general manager, an officer of the Liquor Control and Licensing Branch or a peace officer.

Time

44 (1) Unless otherwise authorized by the general manager,

(a) liquor primary licensees and liquor primary club licensees must ensure that patrons are cleared from the licenced establishment within 1/2 hour after the time stated on the licence for the hours of liquor service, and

(b) food primary licensees must ensure that liquor is taken from patrons within 1/2 hour after the time stated on the licence for the hours of liquor service, unless the liquor is a bottle of wine that is sealed in accordance with section 42 (4) (a).

(2) Unless otherwise authorized by the general manager, if a licensee has been issued a licence, other than a food primary licence, in respect of an establishment, the licensee must not allow patrons to enter the licenced establishment during the hours when liquor service is not allowed by the licence.

(3) Unless otherwise authorized by the general manager, a licensee must not allow a person to consume liquor in the licenced establishment beyond 1/2 hour after the time stated on the licence for the hours of liquor service.

(4) A person must not consume liquor in a licenced establishment beyond the time allowed for consumption under subsection (3) in that licenced establishment.

(5) A reference to time in this regulation or in a licence is a reference to the local time observed at the place of the licenced establishment.

Minors

45 (1) For the purposes of section 33 (5) of the Act, identification means both of the following:

(a) one of the following:

- (i) a passport;
- (ii) a driver's licence that displays a photograph and the date of birth of the holder;
- (iii) an identification card, issued by a government agency, that displays a photograph and the date of birth of the holder;

(b) one other piece of identification that displays

- (i) the person's name, and
- (ii) one or both of the person's signature and picture.

(2) and (3) Repealed. [B.C. Reg. 19/2007, s. 1.]

(4) A licensee must not allow a minor to have liquor in his or her possession in the licensed establishment unless the licence issued for that establishment is a food primary licence or a liquor primary licence for a stadium and the minor is working as a server in the establishment.

Entertainment and games

46 (1) A licensee may provide entertainment and games that are authorized by the general manager.

(2) Entertainment and games provided in an establishment in respect of which a food primary licence has been issued must not result in the operation of the establishment in a manner that is contrary to the primary purpose of the business being the service of food during all hours of the establishment's operation.

(3) Despite subsections (1) and (2), a local government may by bylaw, a first nation may by any lawful means provided under the *Indian Act* (Canada) or authorized by a treaty with the governments of Canada and British Columbia, and a treaty first nation may by law if authorized under its final agreement, restrict or prohibit the type of entertainment or games allowed in a licensed establishment.

(4) A licensee must not offer or condone entertainment or games activities that may jeopardize patron or public safety.

Off premises sales

47 (1) The general manager may endorse a liquor primary licence and a liquor primary club licence for off premises sales if

- (a) the licence results from a renewal, amendment or transfer of a licence already so endorsed,
- (b) a written application for the endorsement was received by the general manager before June 5, 2000,
- (c) the establishment in respect of which the endorsement is sought is at least 30 kilometres from each of the following:
 - (i) a liquor store;
 - (ii) a licensee retail store;
 - (iii) an establishment the licence for which has been endorsed for off premises sales, or
- (d) the licence in respect of which the endorsement is sought is issued to a brew pub and an establishment operated in conjunction with and at the same site as the brew pub, and the endorsement relates to the sale of the brew pub's products that are manufactured on the premises.

(2) If a licence is endorsed for off premises sales,

- (a) subject to paragraph (b), off premises sales are allowed only during hours of liquor service allowed on the licensee's licence,

- (b) no off premises sales may be made after 11 p.m.,
- (c) no liquor, other than coolers, beer, cider and wine, may be sold for off premises consumption, and
- (d) off premises sales must be made from the primary service bar area of the licenced establishment.

(3) Despite subsection (2) (d), a licensee may offer off premises sales from an area of the licenced establishment other than the primary service bar area if the first mentioned area was approved for off premises sales by the general manager before June 5, 2000.

(4) Subsection (2) (c) does not apply to off premises sales referred to in subsection (1) (d).

Promotional activity

50.1 (1) In this section:

"agent" means a person licenced to act as an agent under section 52 of the Act;

"buy-sell agreement" means a buy-sell agreement referred to in subsection (3) (d);

"promotional activity" means any activity that is prohibited or restricted under section 45 (1) or (2) of the Act and includes the provision of goods and services related to the operation of a licenced establishment, but does not include the provision of cash, credit or any other form of financial assistance;

"promotional item" means any item provided to a licensee as part of a promotional activity;

"trade practices terms and conditions" means the terms and conditions established by the general manager under subsection (2) (b).

(2) Subject to subsection (3), the general manager may

(a) exempt any liquor manufacturer, agent or licensee from one or more prohibitions and restrictions under section 45 (1) and (2) of the Act, and

(b) establish a set of terms and conditions respecting promotional activities that are to apply to the licence of any liquor manufacturer, agent or licensee for whom an exemption is granted under paragraph (a).

(3) If an exemption is granted under subsection (2) (a) in respect of promotional activities,

(a) the trade practices terms and conditions are added to and form part of the terms and conditions of the licence of the liquor manufacturer, agent or licensee to whom the exemption is granted,

(b) any promotional activity undertaken in reliance on the exemption must be consistent with

(i) the trade practices terms and conditions, and

(ii) all other terms and conditions imposed on the licence by the general manager under section 45 (4) of the Act,

(c) unless the terms and conditions to which the licence is subject under paragraph (b) of this subsection provide otherwise,

- (i) any promotional item provided to a licensee must be provided to, or be for the principal benefit of, patrons of the licensee's licenced establishments, and
 - (ii) liquor must not be provided as a promotional item,
- (d) except for the provision of promotional items identified in the trade practices terms and conditions as being of nominal value, all promotional activity between a liquor manufacturer or agent and a licensee must be documented in a buy-sell agreement, in the form and with the content set out in the trade practices terms and conditions,
- (e) a buy-sell agreement must not exclude, restrict or otherwise prohibit a licensee from carrying or selling the products of a competitor of a liquor manufacturer or agent,
- (f) a licensee who has entered into a buy-sell agreement must
- (i) subject to paragraph (h), retain a true copy of that agreement in the establishment to which the buy-sell agreement relates from the date the agreement is signed to the second anniversary of the date on which the agreement terminates, and
 - (ii) produce that agreement to the general manager immediately on request,
- (g) a liquor manufacturer or agent who has entered into a buy-sell agreement must
- (i) subject to paragraph (h), retain a true copy of that agreement from the date the agreement is signed to the second anniversary of the date on which the agreement terminates, and
 - (ii) produce that agreement to the general manager immediately on request,
- (h) if a licensee who has entered into a buy-sell agreement with a liquor manufacturer or agent has more than one licenced establishment, a true copy of that buy-sell agreement must,
- (i) for the purposes of paragraph (f) (i), be retained by the licensee at each of those licenced establishments for the period referred to in that paragraph, and (ii) for the purposes of paragraph (g) (i), be retained by the liquor manufacturer or agent in the provincial office of the liquor manufacturer or agent for the period referred to in that paragraph, and
- (i) despite any provision in a buy-sell agreement to the contrary, the parties to a buy-sell agreement must not engage in promotional activity that is not, or that ceases to be, authorized under one or more of
- (i) the Act,
 - (ii) this regulation, and
 - (iii) the terms and conditions to which one or more of the licences of the parties are subject under paragraph (b).

List of officers of club

51 (1) A club must file with the general manager a complete list of its officers showing the name, address and occupation of each officer.

(2) Immediately after a change occurs in the officers of a club, the club must file a revised list of officers with the general manager.

Register of visitors to club

52 (1) A club that holds a liquor primary club licence must keep a visitors' register and must enter in that register the following information:

- (a) the name of each guest;
- (b) the name of the member accompanying each guest;
- (c) the date the guest is in attendance.

(2) A person who is not a member, an employee or a registered guest of the club must not be or remain in a part of the club where liquor is being sold, served or consumed.

Division 7 — Amendment to Certain Licences

Notice of amendment

53 (1) For the purposes of section 11.3 (1) of the Act, the following categories of licences are prescribed:

- (a) liquor primary licences;
- (b) liquor primary club licences;
- (c) winery licences;
- (d) food primary licences.

(1.1) In subsections (2) and (3), "**permanently**", in relation to an amendment to a licence, means an amendment that is intended to apply to the licence generally rather than for a specified period or in relation to a specified event.

(2) For the purposes of section 11.3 (1) of the Act, an application to amend a licence referred to in subsection (1) (a), (b) or (c) of this section that includes an application to permanently amend the licence in respect of any of the following is a prescribed circumstance:

- (a) an extension of hours of liquor service at the establishment in respect of which the licence was issued;
- (b) an increase in the person capacity of that establishment or, in the case of a special event endorsement for a winery, an increase in the size of the special event area;
- (c) the addition of a patio to that establishment,

and the general manager must not approve the amendment unless the general manager has given the local government or first nation for the area in which the establishment is located notice of the proposed amendment under this section.

(3) For the purposes of section 11.3 (1) of the Act, an application to amend a licence referred to in subsection (1) (d) of this section that includes an application to permanently amend the licence in respect of either or both of the following is a prescribed circumstance:

- (a) hours of liquor service at the establishment in respect of which the licence was issued ending after 12:00 a.m.;

- (b) patron participation entertainment at that establishment,
- and the general manager must not approve the amendment unless the general manager has given the local government or first nation for the area in which the establishment is located notice of the proposed amendment under this section.
- (4) If notice of an application for an amendment to a licence has been given to a local government or first nation under this section and section 11.3 (1) of the Act, the local government or first nation must, in considering the application and providing comments, take into account the following criteria:
- (a) the potential for noise if the application is approved;
 - (b) the impact on the community if the application is approved;
 - (c) if the application is one referred to in subsection (3) of this section, whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.
- (5) If the amendment to a liquor primary licence, liquor club primary licence, food primary licence or winery licence may affect nearby residents, the local government or first nation must gather the views of residents in accordance with section 11.3 (2) (c) of the Act.
- (6) If the local government or first nation wishes to provide comments to the general manager, it must provide the following in writing:
- (a) its comments addressing the criteria in subsection (4) of this section;
 - (b) if it has gathered the views of residents under subsection (5),
 - (i) the views of the residents,
 - (ii) the method used to gather the views of the residents, and
 - (iii) its comments and recommendations respecting the views of the residents;
 - (c) its recommendation with respect to whether the amendment should be approved;
 - (d) the reasons for its recommendation.
- (7) The written comments referred to in subsection (6) must be provided to the general manager within 90 days after the local government or first nation receives notice under subsection (2) or (3), or any further period authorized by the general manager.

Application to increase person capacity

54 Despite section 53, a one-time application to increase the person capacity of an establishment up to the occupant load of the establishment is not a prescribed circumstance for the purposes of section 11.3 (1) of the Act if

- (a) the licensee holds, immediately after December 2, 2002, a liquor primary licence, a liquor primary club licence or a winery licence with an endorsement for a winery lounge, or the applicant has, immediately before December 2, 2002, preliminary site and applicant approval for a licence, and
- (b) the physical size of the establishment is not proposed to be increased.

Part 4 — Fees

Fees

55 The fees payable under the Act and this regulation are set out in Schedule 1.

Part 5 — Advertisements and Sponsorships

Advertisements

56 Liquor or the availability of liquor must not be advertised other than by or on behalf of the following:

- (a) a person holding a licence issued under the Act;
- (b) a person appointed to operate an agency store under the *Liquor Distribution Act*;
- (c) the Liquor Distribution Branch carrying out its powers and duties under the *Liquor Distribution Act*.

Advertisements

57 (1) In this section:

"advertisement" means an agency store advertisement, a licenced establishment advertisement or a manufacturer's advertisement;

"agency store advertisement" means an advertisement respecting liquor or the availability of liquor that is placed by or on behalf of an LDB agent;

"LDB agent" means a person who has been appointed as an agent under, or who has contracted to act as an agent under a contract referred to in, section 18 (5) of the *Liquor Distribution Act*;

"licenced establishment advertisement" means an advertisement respecting liquor or the availability of liquor placed by or on behalf of a person, other than a liquor manufacturer, who holds a licence under section 12 of the Act in respect of an establishment;

"manufacturer's advertisement" means an advertisement respecting liquor or the availability of liquor placed by or on behalf of a brewery, winery or distillery, or by or on behalf of an agent licenced under section 52 of the Act, but does not include an advertisement intended to promote the responsible consumption of liquor.

(2) Subject to subsections (3) to (5) of this section,

- (a) a agency store advertisement may be placed by or on behalf of an LDB agent,
- (b) a licenced establishment advertisement may be placed by or on behalf of a person who holds a licence under section 12 of the Act in respect of an establishment, and
- (c) a manufacturer's advertisement may be placed by or on behalf of a brewery, winery or distillery, or by or on behalf of an agent licenced under section 52 of the Act.

(3) Except to the extent that a person who is authorized under this section to place an advertisement is restricted from doing so by a term or condition of the person's licence or, if the

person is an LDB agent, by the terms of the appointment or contract by which the person became an agent, the person may include in that advertisement information respecting

- (a) the liquor that may be sold under the licence, appointment or contract, as the case may be,
- (b) manufacturers,
- (c) licenced establishments,
- (d) liquor stores, and
- (e) prices.

(4) Advertisements must

- (a) comply with the Code for Broadcast Advertising of Alcoholic Beverages published by the Canadian Radio-television and Telecommunications Commission under the *Broadcasting Act* (Canada), as that Code is amended from time to time,
- (b) not refer to liquor products that are not listed or otherwise approved for sale by the Liquor Distribution Branch, and
- (c) not depict packaging or labelling unless that packaging or labelling has been approved under the *Liquor Distribution Act*.

(5) Nothing in this section prevents the Liquor Distribution Branch from requiring that branch's approval before a manufacturer's advertisement is placed in a liquor store, including an agency store.

Repealed

58–59 Repealed. [B.C. Reg. 406/2003, s. 3.]

Sponsorships

60 (1) No sponsorship may take place under section 54 of the Act for an event, activity or organization in which the participants or audience consist primarily of minors.

(2) Except as allowed by the general manager, a liquor manufacturer or agent under section 52 of the Act must not sponsor an event or activity at or with a licenced establishment.

(3) A liquor manufacturer or agent under section 52 of the Act must give prior notice to the general manager of any plan to sponsor an event, activity or organization under section 54 of the Act if

- (a) the sponsorship has a value greater than \$1 500, or
- (b) the event, activity or organization involves a licenced establishment.

(4) If signs are displayed by a liquor manufacturer or agent under section 52 of the Act in the sponsorship of an event, activity or organization under section 54 of the Act that offers the sale or service of liquor, a reasonable number of signs intended to promote the responsible consumption of liquor must also be displayed.

Part 6 — General

Delivery of liquor

61 (1) Liquor delivered within British Columbia under section 38 (2) of the Act must be accompanied by a delivery receipt that is available for inspection and includes the

- (a) name and address of the purchaser,
- (b) date of the purchase,
- (c) price of the liquor,
- (d) time of delivery, and
- (e) delivery service charge.

(2) A consignee receiving a delivery of liquor and a delivery receipt must keep the delivery receipt for a period of one year and keep it available for inspection.

(3) A delivery service must adhere to the following in relation to a delivery of liquor:

- (a) a delivery must be made by and to a person lawfully able to consume liquor;
- (b) proof of age must be validated at the time of delivery in accordance with the requirements and standards of section 45;
- (c) delivery must not be made to an intoxicated person or to a person under the influence of drugs;
- (d) delivery may be made only to a place where liquor may be legally possessed or consumed;
- (e) a delivery must not take place between 11:30 p.m. and 9:00 a.m., unless authorized by the general manager;
- (f) any further rules imposed by the general manager or the general manager of the Liquor Distribution Branch.

Part 7 — Enforcement

Repealed

63 Repealed. [B.C. Reg. 205/2005, s. 8.]

Notices of contravention

64 (1) If an inspector forms the opinion that a licensee has committed a contravention, the inspector must, unless otherwise authorized by the general manager, provide written notice to the licensee that the inspector is of the opinion that the licensee has committed a specified contravention.

(2) If, after considering the alleged contravention, the inspector proposes that enforcement actions should be taken against the licensee in response to that alleged contravention, the inspector must, after forming that opinion, provide written notice to the licensee

(a) specifying which enforcement actions the general manager proposes to take against the licensee should the licensee agree under subsection (3) that the licensee has committed the contravention, and

(b) notifying the licensee that, unless the licensee provides a notice of waiver in accordance with subsection (3),

(i) the general manager will determine whether the alleged contravention occurred and the enforcement actions, if any, that are to be taken in relation to that alleged contravention, and

(ii) an enforcement hearing may be scheduled for that purpose.

(3) The general manager may hold an enforcement hearing to determine whether the licensee committed the alleged contravention and, if so, to determine what enforcement actions are to be taken against the licensee as a result, unless, within 14 days after the date of the notice referred to in subsection (2), or within such longer period as the general manager considers appropriate, the licensee provides to the general manager a notice of waiver, in form and content satisfactory to the general manager, by which the licensee expressly and irrevocably

(a) agrees that the licensee has committed the contravention,

(b) accepts the specified enforcement actions,

(c) waives the opportunity to have an enforcement hearing on the matter, and

(d) agrees that the finding of contravention and the specified enforcement actions will form part of the compliance history of the licensee.

Imposition of enforcement actions

65 (1) If, under section 20 of the Act, the general manager determines that a licensee has committed a contravention as a result of which one or more enforcement actions may be taken against the licensee, and if the licensee has not, in respect of that contravention, provided to the general manager a notice of waiver in accordance with section 64 (3) of this regulation, the general manager may, under section 20 of the Act, take the enforcement actions, if any, against the licensee that the general manager considers appropriate as a result of the contravention and, in so doing, may but need not take the enforcement actions specified under section 64 (2) (a) of this regulation.

(2) Nothing in this section requires the general manager to hold an enforcement hearing, or any hearing, before making either or both of the determinations referred to in subsection (1).

(3) The general manager may, in respect of a second contravention or a subsequent contravention, take the enforcement action applicable to that type of contravention even though that contravention was considered at a time or at a hearing at which one or more other contraventions of the same type were considered.

(4) A reference in subsection (3) to a "second contravention", a "subsequent contravention" and a "type" of contravention must be read within the meaning of Schedule 4.

Suspensions

66 (1) If, in relation to a contravention, the enforcement actions specified under section 64 (2) (a) or referred to in section 65 (1) include a suspension, the period of the suspension must, subject to subsection (2) of this section, fall within the range established for the contravention under Schedule 4.

(2) If, in the circumstances of a contravention and the compliance history of the licensee, the general manager considers that a longer period of suspension is warranted than that established for the contravention under Schedule 4, the suspension period may extend as far beyond the range established under Schedule 4 as the general manager considers appropriate.

(3) If the general manager determines that a licensee has committed more than one contravention for which suspensions should be assessed, the period of the suspension determined in relation to those contraventions must be the sum of the suspension periods determined for each of the contraventions.

When a suspension is to be served

67 (1) In this section, "**business day**" means, in respect of a licensee, a day specified by the general manager as a business day.

(2) If a licensee accepts a suspension under section 64 (3) (b) or if the enforcement actions referred to in section 65 (1) include a suspension, the suspension must

(a) unless the general manager considers that a different day of the week is more appropriate, take effect on the same day of the week as the day on which the contravention for which the suspension was imposed was committed, and

(b) continue in effect on each business day until the number of days on which the suspension has been in effect equals the number of days in the accepted or determined period of suspension.

(3) The general manager may, subject to subsection (2), determine the date on which the suspension begins.

Monetary penalties

68 (1) The enforcement actions specified under section 64 (2) (a) or referred to in section 65 (1) that apply to a contravention that is a first contravention within the meaning of section 1 (1) (b) (i) of Schedule 4 include, but for any other contraventions do not include, a monetary penalty, and the amount of the monetary penalty that may be imposed in relation to a first contravention must, subject to subsection (2) of this section, fall within the range, if any, established for the contravention under Schedule 4.

(2) If, in the circumstances of a contravention and the compliance history of the licensee, the general manager considers that a monetary penalty in an amount that exceeds the amount established for the contravention under Schedule 4 is warranted, the monetary penalty may, subject to section 20 (2.3) of the Act, extend beyond the range established under Schedule 4.

(3) If the general manager determines that a licensee has committed more than one contravention for which monetary penalties should be assessed, the amount of the monetary

penalty determined in relation to those contraventions must be the sum of the monetary penalties determined for each of the contraventions.

Cancellation of licences

69 (1) Subject to subsection (2), the general manager must cancel the licence of a licensee if

- (a) the licensee allows the sale, service or consumption of liquor in the licensee's establishment while the licensee's licence is under suspension,
- (b) contrary to section 67 (3) of the Act, the licensee
 - (i) obstructs or attempts to obstruct an entry or search by a peace officer under section 67 of the Act, or
 - (ii) refuses or fails to immediately admit a peace officer demanding entry under section 67 of the Act, or
- (c) contrary to section 73 (2) (b) of the Act, the licensee neglects or refuses to allow premises to be inspected when and as required under section 73 (2) (b) of the Act.

(2) The general manager need not cancel a licence in a circumstance referred to in subsection (1) of this section if

- (a) the licence is transferred in accordance with subsection (3), or
- (b) subsection (4) applies.

(3) The general manager may refrain from cancelling a licence if

- (a) the general manager notifies the licensee that the general manager is prepared to consider a transfer of the licence during a specified period,
- (b) the general manager suspends the licence until the earlier of
 - (i) the end of the specified period, and
 - (ii) the date on which the licence is transferred by way of a transfer approved by the general manager, and
- (c) the licence is transferred within the specified period by way of a transfer approved by the general manager.

(4) The general manager may refrain from cancelling a licence if the general manager is satisfied that it is in the public interest to refrain from cancelling the licence and the general manager

- (a) suspends the licensee's licence in accordance with Schedule 4, and
- (b) imposes any other enforcement actions referred to in section 20 (2) of the Act that the general manager considers appropriate.

Warrant to search

70 (1) The information to obtain a search warrant under section 68 of the Act is set out in Schedule 2.

(2) The form of a search warrant that may be issued under section 68 of the Act is set out in Schedule 3.

Fees

Item	Fee (\$)
Special Occasion Licences	
1 Private special occasion	25
2 Public special occasion	100
3 Special occasion licence additional fee where general manager determines liquor inspector attendance at the event is required	330 per inspector per day plus reasonable travel expenses
4 Request for amendment to special occasion licence	100
Licence Application Fees	
5 Liquor primary	2 200
6 Liquor primary club	2 200
7 Food primary	475
8 Distiller	550
9 Brewer	550
10 Winery	
(a) with no endorsement	550
(b) with special event endorsement	660
(c) with winery lounge endorsement	880
(d) with both winery lounge and special event endorsements	990
11 U-Brew and U-Vin	550
12 Agents	220
Annual Licence Fees	
13 Liquor primary for first year of licensing	2 200
14 Liquor primary club for first year of licensing	2 200
15 Food primary for first year of licensing	475
16 Licencee retail store for first year of licensing	1 200
Renewal Fees	
17 Liquor primary, liquor primary club, licencee retail store and food primary, for second	

and subsequent years of licensing, if the amount spent by the licensee on liquor

purchases in the prior calendar year is

	(a) \$12 500 or less	250
	(b) over \$12 500 and up to \$20 000	500
	(c) over \$20 000 and up to \$45 000	825
	(d) over \$45 000 and up to \$100 000	1 100
	(e) over \$100 000 and up to \$500 000	1 400
	(f) over \$500 000 and up to \$1 000 000	1 700
	(g) over \$1 000 000 and up to \$2 000 000	2 000
	(h) over \$2 000 000	2 200
18	Distiller	1 100
19	Brewer	
	\$0.12 a hectolitre multiplied by the total number of	
	hectolitres of malt liquor shipped by a brewer in British	
	Columbia, from any brewery owned, occupied or used by	
	that brewer in the previous year ending on December 31,	
	with a minimum fee of	1 100
20	Winery, if producing more than 135 000 litres of wine a year	
	(a) with no endorsements	1 100
	(b) with special event endorsement	1 210
	(c) with winery lounge endorsement	1 430
	(d) with both winery lounge and special event endorsements	1 540
21	Winery, if producing 135 000 litres of wine or less a year	
	(a) with no endorsements	550
	(b) with special event endorsement	660
	(c) with winery lounge endorsement	880
	(d) with both winery lounge and special event endorsements	990
22	U-Brew and U-Vin	750
23	Agent's licence, if the person does not already hold a winery, brewery	200
	or distillery licence	

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Late Renewals		
24	Late renewal if application for licence renewal is made after expiry of licence,	200
	except for agent's licence	
25	Late renewal for an agent's licence if application for licence renewal is made	50
	after expiry of licence	
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Applications for Amendments to Licences		
26	Temporary amendment of a licence if that amendment does not require local	110
	government or first nation involvement	
27	Temporary amendment of a licence if that amendment does require local	330
	government or first nation involvement	
28	Amendment of a licence if that amendment does not require local government or	220
	first nation involvement	
29	Amendment of a licence if that amendment does require local government or first	330
	nation involvement	
30	Winery endorsements	
	(a) add special event (if another endorsement exists)	110
	(b) add winery lounge	330
	(c) add both special event and winery lounge	440
	(d) add special event (when winery lounge does not exist)	330
31	Change of location	
	(a) liquor primary change of location	2 000
	(b) change of location of U-Brew/U-Vin	220
	(c) change in location of a food primary, licensee retail store, or manufacturer	330
	(d) approval under section 14 (6)	440
32	Structural changes	440
		225

33	Ownership	
	(a) adding and/or changing director, officer, receiver or executor	220
	(b) change name of person, establishment, licence or licensee	220
	(c) add or change resident manager	220
	(d) transfer of ownership or adding a third party operator or manager	330
	(e) internal transfer of shares	110
	(f) external transfer of shares	330
34	Sale or service from a golf kiosk or takeout window or golf cart	440

Miscellaneous

35	Training program	Maximum of 65 per person per program
36	Off premises sales annual endorsement	100
37	Application for a copy of a validated floor plan or other similar matters	30
38	Application for grain alcohol permit	30
39	Request for ad hoc report requiring programming	30 per hour
40	Rescheduled final inspection	200
41	Reproductions of pictures or blueprints	Actual time and materials

Appendix H Themes with Categories, Subcategories and Codes

Theme	Contributions and Activities of Artist-Run Centres and Cultural Spaces								
Category	<u>Artists</u>			<u>Community</u>			<u>City of Vancouver</u>		
Sub Category	<i>Access to Dedicated Arts Space</i>	<i>Support for Artists</i>	<i>Forum for Collaboration and Experimentation</i>	<i>Arts Community</i>	<i>Neighbourhood</i>	<i>Public Audiences</i>	<i>National/ International Exposure</i>	<i>Place Branding</i>	<i>Creativity and Innovation</i>
Codes	<ul style="list-style-type: none"> · Limited arts space · Affordability · Functionality · Disciplinary focus · Multidisciplinary · Multipurpose · Co-location · Fluid space · Open space · For under-exposed artists · Access to work space · Response to urbanization · Response to regulations 	<ul style="list-style-type: none"> · Early exposure for emerging artists · First or early exhibitions for graduates · Training ground · Springboard · Mentorship · Professional career development · Local artists · National/ international artists · Access to equipment 	<ul style="list-style-type: none"> · Supporting contemporary art discourses · Open dialogue/ discussions · Forum for generating new ideas · Education · Collaboration (among artists) · Interaction (with the public) · Critical thinking · Creativity 	<ul style="list-style-type: none"> · Gallery partnerships · Pillar of arts community · Symbolism · Attachments to place 	<ul style="list-style-type: none"> · Community partnerships · Connect with community residents · Local hub · Critical conversations on contemporary issues · Education/youth programmes 	<ul style="list-style-type: none"> · Lack of public access · Engage larger communities in contemporary art production · Inspire critical thinking · Access to contemporary artwork · Expose diverse communities to innovative art forms · Cultural impact · Broaden public conceptualization/ understanding of art · Challenge assumptions (where and how art can be experienced) 	<ul style="list-style-type: none"> · National attention for artists · International attention for artists 	<ul style="list-style-type: none"> · International profile · Develop a reputation 	<ul style="list-style-type: none"> · New Knowledge · Innovative ideas

Theme	Regulatory Challenges and their Effects on the Creation and Operation of Artist-Run Centres and Cultural Spaces								
Category	<u>Regulatory Challenges</u>			<u>Effects of Regulations on Artist-Run Centres and Spaces</u>			<u>Effects of Regulations on Artists and Arts Administrators</u>		
Sub Category	<i>Policies</i>	<i>Municipality</i>	<i>Arts Community</i>	<i>Creating and Using Dedicated Space</i>	<i>Programming and Operations</i>	<i>Management</i>	<i>Perceptions of Support</i>	<i>Cultural and Artistic Practices</i>	<i>Place Disattachment</i>
Codes	<ul style="list-style-type: none"> ·Contradictory policies ·Complex processes ·Costly fees for permits and licences ·Outdated policies and regulations ·Overregulation ·Unsuitability ·Prohibitive policies ·Zoning ·Capacity determination ·Parking ·Liquor Licensing 	<ul style="list-style-type: none"> ·Lack of external communication ·Lack of internal coordination ·Lack of transparency ·Time ·Unpredictability ·Inspections ·Lack of mechanism to collect and address regulatory issues ·Inconsistency (in regulatory enforcement) ·Inconsistency (among different kinds of cultural space) ·Limited support ·Cultural Services (lack of authority) 	<ul style="list-style-type: none"> ·Limited knowledge ·Lack of involvement ·Internal management ·Resident complaints 	<ul style="list-style-type: none"> ·Operate underground ·Impermanent location ·Ghettoization 	<ul style="list-style-type: none"> ·Commercialization ·Commodification ·For-profit activity ·Earned revenue ·Program expansion ·Lack of public access 	<ul style="list-style-type: none"> ·Governance 	<ul style="list-style-type: none"> ·Lack of policy support ·Lack of public support ·Lack of understanding (within official circles) ·Unwelcoming ·Valued/Valuable ·Distrust (towards politicians) ·Distrust (towards City staff) ·Distrust (among arts community) ·Resistance (among City staff) 	<ul style="list-style-type: none"> ·Restricting artistic pursuits ·Time ·Financial Resources 	<ul style="list-style-type: none"> ·Desire to leave ·Transient ·Temporary ·Homogenization

Theme	Strategies to Address Regulations and Motivations for Continuing to Work					
Category	<u>Strategies to Address Regulatory Issues</u>			<u>Motivations for Continuing to Work</u>		
Sub Category	<i>Internal Changes</i>	<i>External Partnerships</i>	<i>Operations of the Space</i>	<i>Personal</i>	<i>Professional</i>	
Codes	<ul style="list-style-type: none"> ·Reputational Capital ·Create a new space/activity ·Purchase space ·Institutionalization in management ·Professionalization in management ·Preparation and preplanning ·Modify Operations ·Change locations ·Acquire business skills/knowledge ·Research regulatory requirements and planning processes 	<ul style="list-style-type: none"> ·Consult online resources ·Form corporate partnerships ·Consult Cultural Services ·Build business relations with City staff ·Give notice to the public ·Networking within the cultural community ·Seek endorsement from City Council ·Seek expert advice ·Hire a consultant 	<ul style="list-style-type: none"> ·Departure from the city ·Deterred from expanding operations ·Deterred from producing certain events or activities ·Discontinue operations ·Disregard potential for regulatory enforcement ·Operate underground 	<ul style="list-style-type: none"> ·Motivated by passion ·Motivated by challenge ·Social Networks 	<ul style="list-style-type: none"> ·Non-commercial art practice ·Advocacy 	<ul style="list-style-type: none"> ·Desire for change ·Develop a reputation ·Add to creative energy ·Increase impacts of arts/culture on communities

Appendix I Description of the Case Studies

Name	Type	Background, Functional Uses, and Activities	Location
Gallery A	Non-Profit Artist-Run Centre, member of PAARC	<p>Gallery A formed in 1981 as a collaborative project between an artist-run collective exhibiting student exhibitions at the Vancouver School of Art, and sister space established in response to closure of an alternative performance-oriented artist-run centre in the City of Vancouver (Collins, n.d.).</p> <p>Early in the history of Gallery A, the organization established itself as one that was resistant to all forms of mainstream exhibition (Collins, n.d.). It maintained a downtown gallery space, frequently hosted alternative events, and continually exhibited emerging artists from societal subcultures (ibid). Today, Gallery A supports and assists in the development of artists' curatorial projects, concentrating on a limited set of projects each year (Collins, n.d.). Although it continues to be based in visual art practice, programming has developed to include: exhibitions, media, telecommunications, public actions, publishing, music, and performances (ibid).</p> <p>Over its thirty years of operation, Gallery A has undergone periods of transformation and reinvention, inclusive of eight separate moves to new gallery locations (Collins, n.d.).</p>	Chinatown
Gallery B	Non-Profit Artist-Run Centre, member of PAARC	<p>Established in 1984, Gallery B began as an arts collective and remained independently managed and self-funded until 1987, when it applied for its first project grant (Collins, n.d.). The impetus among this group for starting a new space, apart from the desire to put up their own work, was to feature artists who were underexposed or less-represented in more mainstream formats (ibid). Over time, the gallery's programming and activities have expanded to include exhibitions, performances, publications, special projects that showcase alternative arts practices (Collins, n.d.).</p> <p>Initially operating in the front room of a loft apartment, Gallery B operated informally until 1993 when it became an independently established organizational entity (Collins, n.d.). In 1995, the now board-run facility underwent a capital campaign and</p>	Mount Pleasant

Name	Type	Background, Functional Uses, and Activities	Location
Gallery B	Non-Profit Artist-Run Centre, member of PAARC	purchased their own gallery space, becoming one of the first artist-run centres to do so in Vancouver (Collins, n.d.).	Mount Pleasant
Gallery C	Non-Profit Artist-Run Centre, member of PAARC	<p>In 1991, a group of graduate students from UBC and one local artist banded together to open a gallery. When notices of eviction were served in 1993, the group relocated to a space in the Downtown Eastside which required significant renovation, all of which was undertaken by the artists themselves (Collins, n.d.).</p> <p>Despite being new to the scene, the founding members of Gallery C were committed to providing professional support for artists (Collins, n.d.). They put forth invitations and press releases, and pursued ties with international artists to grow their operations and activities, bringing work from Europe and other regional communities to Vancouver (ibid).</p> <p>The gallery was maintained for several years without operating funds from government agencies. Alternative sources of funding have traditionally come from liquor sales, studio rentals, and support from the artists themselves. However, as Gallery C has become tied into larger community efforts, such as citywide exhibition programs, they have found it necessary to pursue stable funding through operations and project grants (Collins, n.d.).</p> <p>Today, Gallery C continues to provide points of entry to artists and audiences by supporting presentations from local, national and international artists, curators, and cultural practitioners (Collins, n.d.). The Gallery continues to strive to spark critical conversations about contemporary art through experimentation and risk-taking within the gallery space and beyond, presenting several exhibitions a year (ibid).</p>	Chinatown

Name	Type	Background, Functional Uses, and Activities	Location
Gallery D	Non-Profit Society, member of PAARC	<p>Developed in response to the financial challenges associated with establishing semi-permanent indoor exhibition spaces in Vancouver, Gallery D formed as a non-profit society in 2005 to mount exhibitions in temporary locations (Collins, n.d.). Functioning without a permanent space, Gallery D's projects range in subject, format, location, and duration. Presentations have taken place in offices, galleries, apartments, live/work studio spaces, and on the street (ibid). Aimed at accidental audiences, its objective is to expand existing conventions for identifying and presenting contemporary art by predominantly emerging artists (Collins, n.d.).</p> <p>Today, Gallery D continues to experiment with site-specific platforms that respond to both the obstacles inherent in operating from a fixed location, and a desire to offer new experiences for interacting with art by changing its context (Collins, n.d.).</p>	Impermanent Location
Gallery E	Non-Profit Artist-Run Centre, member of PAARC	<p>Gallery E was formed in 1974 by a small group of mature students, fellows, and instructors of the Vancouver School of Art (Collins, n.d.). The group began by collaborating on printmaking exhibitions and applied for government funding to develop an independent print media studio facility (ibid). The first studio opened in 1976, and provided shared equipment for artists utilizing traditional screen printing techniques to produce contemporary art works (Collins, n.d.). Space was provided at a nominal fee in exchange for an agreement that Gallery E would allow the community to use the printing presses one day per week (ibid).</p> <p>When the sale of the arts facility in 1981 resulted in a 50 percent rent increase, and the costs of certain permits and renovations required by the City and Fire Marshall proved too costly to manage, Gallery E relocated to Granville Island (Collins, n.d.). This facility consists of a large production space and a small gallery that holds print exhibitions. Today, Gallery E continues to provide a range of services to artists, including: international and local printmaking residencies, workshops, and public programming related to various printmaking practices.</p>	Granville Island

Name	Type	Background, Functional Uses, and Activities	Location
Gallery F	Non-Profit Artist-Run Centre, member of	<p>Gallery F started as a collective in 2005 when students from Emily Carr University desired to create a critical context and participatory learning space to experiment and share their work (Collins, n.d.). For the first two years, the student-led organization ran one-night, non-juried exhibitions that provided artists with public space to talk, exhibit, and learn (ibid). The introduction of a dedicated space in 2008 provided the organization with the agency to present a wider array of programming focused on facilitating dialogue between contemporary art and design (Collins, n.d.). The gallery and studios became a critical factor to its incorporation as a registered not-profit organization in 2007 (ibid).</p> <p>Today, Gallery F is a predominantly self-funded artist-run centre. To continue its operations, and help erase the debt incurred during renovations, it rents studio space to artists at affordable rates (Collins, n.d.).</p>	Chinatown
Gallery G	Independent Public Art Gallery	<p>Established in 1971, Gallery G began as a pilot project of the City of Vancouver Social Planning Department. In 1976, it became an artist-run centre registered as a federal charity and non-profit society, and developed an exhibition program that provided solo exhibitions and catalogues for many local, national and international artists. In 1996, Gallery G became an independent public art gallery and eventually moved to a new purpose-built facility under the aegis of the City of Vancouver's Amenity Bonus program in 2001.</p> <p>Today, the gallery continues to promote knowledge and understanding of contemporary visual art practices through exhibitions, education and public outreach programs, publications, visiting artist/curator programs, information and resource services, and the circulation of the City of Vancouver Art Collection throughout civic buildings, museums and galleries. Although Gallery G is no longer an artist-run centre, it is included as a case study in this research to provide instructive insight into the experiences of an independent art gallery, and recipient of a Community Amenity space as a policy which has enabled cultural facilities development.</p>	Downtown

Name	Type	Background, Functional Uses, and Activities	Location
Gallery H	Independent Arts Facility	Established in 2003, Gallery H is an independent arts facility and community based art resource centre that provides creative production space for emerging and established artists whose work may not be embraced by commercial or mainstream art galleries. Services include: facility, supply and craft rentals; movie screenings and other various events; and workshops for screen-printing, audio, film, animation, dance and spoken word. The facility is comprised of studio, retail, office, gallery and venue areas created specifically for creating new works of art. Gallery H also opens its doors to film, video and experimental audio performances as well as live theatre. These services thrive solely on equipment rentals, sales, and community support as the gallery operates without government funding. Gallery H also raises funds by collaborating with various organizations in the arts, media, and community field. In this capacity, the facility aims to foster collaboration and creative expression by presenting underground works to diverse communities, and encouraging the general public to explore their own creative expressions.	Chinatown
Gallery I	Independent Artist-Run Facility	Gallery I is a gallery and artist studio space situated in an artist-only building in the Downtown Eastside. It was founded by four arts students in 2009, and is dedicated to providing an inclusive meeting place for artists and communities committed to fostering a dynamic culture. To accomplish this goal, the gallery functions as a multipurpose creative production and exhibition space, and produces several community events, games nights, open studios, model drawing, and theatre and music performances annually. More recently, the gallery has focussed its programming and operations onto the redevelopment of artist studio spaces and gallery programs as more stable sources of revenue. In addition, it has integrated commercial arts activities into its programming, showcasing multidisciplinary works that are available for sale to the public.	Downtown Eastside
Gallery J	Independent Artist-Run Facility, Mobile Arts Project	Gallery J was developed in 2009 in response to the shrinking supply of affordable art spaces in Vancouver. It operates in a mobile trailer that has been converted into a multi-functional, fully-mobile studio/gallery/event space. The intent is to provide an open space for gathering and dialogue that will foster	Impermanent Location

Name	Type	Background, Functional Uses, and Activities	Location
Gallery J	Independent Artist-Run Facility, Mobile Arts Project	creative collaborations among artists and the public outside of conventional contexts. Since it opened, the space has hosted a number of collaborative projects, events, artists' talks, performances, discussions, concerts, pirate radio broadcasts, dinner parties, events, and residencies. As such, it has become an open forum for artistic synergies, experimentation, and the creation of new and innovative practices in the arts.	Impermanent Location
Gallery K	Non-Profit, Artist-Run Event	<p>Originally conceived of as a modest show created by three artists needing a platform to display their work, Gallery K is a non-profit arts event originally conceived of by three local Vancouver-based artists needing a platform to display their work. Over the past three years, the event has grown to become one of the largest single-night art events in Western Canada, attracting thousands of artists, buyers, and patrons annually. Today, Gallery K showcases hundreds of multi-disciplined artists, based solely on their artistic merit, and offers all of the works at a uniform price regardless of market value. The aim is to remove barriers between emerging and established artists, buyers, curators, gallery directors and collectors while fostering the growth and development of the only grassroots arts event of its kind in the City of Vancouver.</p> <p>The event takes place in a different location in Vancouver a year and aims to promote the work of talented and underexposed artists. Most recently, organizers have partnered with corporate sponsors and private real estate developers to continue to expand in size, and are currently considering the prospect of expanding into other North American cities.</p>	Impermanent Location
Gallery L	Commercial Studio	Gallery L is an independent recording studio specializing in independent music production. The five-room facility is owned and operated by a Vancouver-based producer/engineer/musician. At the time of the interview, Gallery L was undergoing interior renovations to complete the studio production space in an Industrial District zoned MC-1. For the purpose of this research, Vancouver-based	Dunbar

Name	Type	Background, Functional Uses, and Activities	Location
Gallery L	Commercial Studio	musician, founder, and owner of Vertical Studios provided a full account of the regulatory process associated with opening this space, the challenges involved, and the ways in which regulatory restrictions have impacted its originally intended uses and activities.	Dunbar