

ARTS HABITAT ASSOCIATION,

EXECUTIVE SUMMARY OF ART SPACE ISSUES IN EDMONTON

ART OF LIVING RECOMMENDATION #2

In 2008 the **Edmonton Arts Council** published *“The Art of Living” – a 10 Year Plan for Securing the Future of Arts and Heritage in the City of Edmonton*”, in response to the need recognized in 2005 by Council for a cultural plan for the City. The Art of Living examines and recommends 28 action plans for the Arts and Heritage help realize a unified vision for arts and culture in Edmonton over 10 years. The plan identifies arts spaces as the most urgent need. Recommendation #2 is to *“redraw zoning bylaws and other city practices to stimulate arts activities”*. This report is the result of research undertaken to address these.

THE TEAM

- EAC as sponsor and city affiliate,
- Arts Habitat Association as community partner,
- City departments of Community Services as facilitator, Bylaw Unit of the Planning Branch, and Licensing.

THE PROJECT

The project goal is to find and implement solutions for a more sympathetic regulatory environment that will catalyze, improve and increase opportunities for a broad range of arts activities and space uses in the City. A review of zoning bylaws, definitions, licenses, permits and other civic regulations formed the basis for research into what regulatory inhibitors might be impeding individual artists and arts organizations from living and creating in Edmonton. The complete scope of work included:

- Investigations of current bylaws and regulations to identify gaps and opportunities;
- Research of best practices of other municipalities;
- Community stakeholder consultations hosted by Arts Habitat Association to understand actual impediments;
- Investigation into comparative information relevant to the objectives;
- A summary of relevant findings, along with any perspectives to represent the issues;
- Team working meetings to respond to the information;
- And a defined set of actions and solutions to be vetted through City hosted stakeholder consultation.

KEY ISSUES

1. Affordability and sustainability of art spaces.
 - Artists have lost many significant studio spaces in the downtown over several years due to inflation or demolition.
 - Access to property ownership is a key concern for small and mid-sized arts groups to obtain artist tenure of spaces.
2. Appropriate space.
 - Artist spaces are inadequate in size, location, access, state of disrepair, and/or equipment.
 - Inadequate space limits creative production and audience appreciation.
 - The city urgently needs main stage venues that meet national standards for creation and performance of dance and theatre, rehearsal spaces, a sponsored multi-purpose community arts centre, as well as small studios for a variety of visual artists and crafts people and affordable large art studios for Edmonton’s established visual artists, which might be in designated arts buildings.
 - Industrial warehouse spaces are prized for their height, flexibility and affordability, yet are unavailable to artists due to zoning regulations.
3. Location of art spaces.
 - Most artists who work outside the home want to be close to the downtown or Old Strathcona
 - Easy access to services and amenities is critical
 - Affordable Live/work units in the downtown are desirable.
 - Arts clusters or precincts - Living and working in proximity to other practicing artists, and to services near other amenities will promote collaboration, innovation, interest and character and a cohesive community.
4. Artists who work from home find the current regulations do not support, or properly define, an ‘artist studio’ use.

- With escalating rents or scarcity of other appropriate space compelling more and more artists to work from home - either within the dwelling (including apartment dwellings), or by adapting garages - the need to review and improve artist home/garage studios definitions and requirements is pointed.
5. Appropriate definitions for artists' actual uses of space in the bylaws are needed
 - Definitions that do exist are too siloed to address the organic structure of artist working situations.
 - Artists must limit or curtail their intended activities to fit within a too restrictive and inaccurate definition.
 - The artist community strongly feels this could be rectified by the inclusion of definitions or use classes that better acknowledge the various ways artist and artist groups actually use space. New definitions or use classes must be flexible enough to properly reflect the myriad of activities artists' uses embody. For example a studio might be transformed into a performance space for special events.
 6. Make development regulations in general more flexible to suit artist uses, including those for home studios.
 7. Make more zones could be available to arts uses
 - Including Industrial zones where space is appropriately sized and more affordable and empty buildings that populate the downtown area
 8. The Live Music community wants access to a greater range of spaces to perform in.
 - cafés and other family friendly neighbourhood venues
 - dance space without triggering a nightclub definition, with its increased zoning, licensing and insurance regulations.
 9. "Rezoning" and "change of use" trigger expensive requirements
 - Artists are faced with adapting existing and old spaces usually in disrepair, which initiates extensive building code and site improvements that are unaffordable and sometimes impossible to meet.
 10. The process to apply for permits and licenses within city departments in general is perceived as too expensive, opaque, arbitrary and unhelpful.
 - Artists work "illegally" out of spaces rather than face being denied their desired use and more. Artists need support from the city individuals who deal with them and easy-to-understand written information to guide their process.
 11. Creative solutions for parking requirements are essential
 - difficult or impossible to meet in major home businesses and rehearsal/performance spaces,
 - especially in mature neighbourhoods and business revitalization commercial streets.
 12. Zoning and licensing structures don't recognize the distinction between for-profit businesses and artist activities,
 - which are more closely aligned with social enterprise.
 - Artists feel this lack of distinction negatively impacts how and where artists operate, and what licenses they must have.
 13. City support for arts development projects is a priority for arts organizations
 - through an experienced and integrated arts team who connect across the myriad of city departments,
 - a project manager,
 - and a "how to toolkit" with document templates and outlines of processes to follow.
 14. Consistently brand and promote local arts and talent to develop Edmonton as a destination for the Arts
 - To Edmontonians as well as to visitors right from their arrival at the airport.

NEXT STEPS

Expert and stakeholder input is essential to fully realize the vision of Edmonton as a creative City, beginning with arts space. The Report for changes to civic zoning bylaws, licenses, permits, regulations, incentives and initiatives is a first step. Findings and recommendations made by Arts Habitat Association should form part of the Bylaws & Licensing Departments internal review of civic regulations. All measures small and large should receive thorough and equal consideration to fulfill the goal of the project:

- **Small measures** - relatively simple amendments to existing definitions to better suit an arts use, allowing a use to expand into more zones, or eliminating a license or permit fee.

- **Medium measures** - creating new definitions like an “artist studio”, improving communications and planning process.
- **Large measures** - longer-term goals like planning for and rezoning a neighbourhood as an “artist studio precinct”, the creation of an “arts overlay”, and creating a role for a cultural planner within the city to coordinate citywide arts and culture urban planning.

OTHER CITY PLANS, INITIATIVES AND INCENTIVES

Beyond a review of bylaws and licenses, there is a great need for further in-depth review and design of City plans, initiatives and incentives for arts space retention and development in Edmonton as they relate to the Downtown Plan, Alberta Ave Revitalization, BRZ development incentives, the Quarters, Nonprofit space incentives, and Sustainable Planning. The city should take further action to address and integrate those in plans moving forward.

- City departments must prioritize arts space development especially in light of new plans for the downtown and surrounding areas.
- Review incentives and initiatives already existing in Edmonton and borrow successful models from other municipalities to assist our arts development.
- A working committee between city planners, developers and arts stakeholders can work together now to develop a “made in Edmonton solution” to design-in our future Arts communities.

SPACE INVENTORY AND CULTURAL SCAN/MAPPING

Research into Edmonton’s arts space needs and issues must review the inventory of what the arts community has, what it needs, and what opportunities might exist. No complete inventory exists and is needed.

- A complete inventory will inform the typologies of space needed to be defined in the zoning bylaws, where arts uses are concentrated and where it makes sense to plan for clusters.
- A full cultural scan and mapping project will provide the framework to develop that inventory.

SUMMARY OF FINDINGS

I LICENSE ISSUES

- *Ensure there is a clear definition for “artist” (Note that EAC definitions for professional artists and art organizations have been submitted to the Licensing & Permit Department.)*
- *Support artists with simple, accessible instructions from City on the process*
- *Make licenses and fees easier to get (process) and to pay (affordable)*
- *Understand artist usage is more like part-time worker making limited production of unique works.*
- *Recognize that nonprofits are social enterprise, not business profit oriented organizations*
- *Exempt Business Licenses for nonprofit arts organizations*
- *Relook at “nightclub” as it pertains to licensing and permits*
- *Make the license/permit process simpler, more transparent*
- *Review fee / licenses required for small retail /gallery space in front of the studios under allowable area*
- *Remove or substantially reduce vendor licenses and fees at City and BRZ Arts festivals*
- *Consider an “artist business package” for all aspects of city involvement*
- *Consider a license requirement for street busking*
- *Review Bylaw 13138 (business license bylaw) as it impacts nonprofits use of space.*

II ASSESSMENT AND TAXATION ISSUES

- *Review property taxes required by nonprofit galleries operating out of commercial storefronts.*
- *Review Alcohol sales where they not allowed, to open up the possibility for serving events in arts uses*

III CIVIC EVENT/TRANSPORTATION OPERATIONS ISSUES

- *Reduce / remove fees for road closure permits for public events held on BRZ streets*
- *Better coordinate issues that arise due to City hours vs Arts events hours*
- *Reduce parking bylaw requirements.*

IV DEVELOPMENT PERMIT PROCESS ISSUES

- Provide a user-friendly "how-to" guide to codes, licenses, development permits, etc
- Improve communications, attitude, and will toward (arts) applicants within City departments
- Reduce cost of Fees/Permits for artist activities
- Reduce parking bylaw requirements
- "Rezoning" and "Change of use" trigger extensive, expensive, building code upgrades in the dilapidated buildings arts groups have access to.

V USE DEFINITIONS ISSUES

In General

Create definitions that appropriately address art uses and ensure they are flexible enough to properly define the organic and multiple nature of artist activities in a single space or set of spaces.

- Allow Occasional /auxiliary functions – to occur in arts uses/definitions (retail, public functions)
- Flexibility - Create the flexibility for multiplicity of artist uses in one space
- Create a category for nonprofit use
- Clarify gallery uses in the "general retail use" definition, or add a new definition for 'Gallery'

Acknowledge and enable home-based studios

As many as 50% of individual artists work from their homes as an affordable and sustainable option vs a studio in another zone. Escalating rents and lack of appropriate space elsewhere are compelling more and more artists to work from home (including apartment dwellings). Artists use the house, yard, and garage organically as needed to live and do their work, (but is not the same as a "live/work" unit). Enable and encourage home/garage studios. Relax parking requirements, allow open houses with sales of goods produced.

Artist Studios

Review definition of 'custom manufacturing' to be more descriptive of artist uses **OR** create an "Artist studio" definition (that is distinct from 'home studio' or 'live/work' studio). Allow retail and gallery functions to occur.

Live/Work Studios

Review live/work definition to allow upper floor warehouse space with shared access set up (eg. ArtsHab1).

- Consider "Major/Minor live/work" definitions – where major and minor imply impact – noise, dust, fumes etc
- **Or** – consider an "artist live/work" definition to separate it from other less impactful live/work uses
- Clarify "business" and allow sales of artist goods produced within live/work units.
- Allow for common public spaces – gallery and public open house events, etc.
- Consider that families also live in live/work studios, not just single artists.
- Ensure a minimum of 50% is allowed for living space
- Define zones in which this use will be allowed. (Building codes should meet special needs of artist uses.) Specific developments will likely be required. Artist uses may not be compatible with other "live/work" uses.

Performance / rehearsal

The need for multi-use specific rehearsal/performance in one or set of spaces is a common issue.

- Creation lab - A definition for a multi-functional rehearsal/production use where several artistic disciplines work under one roof. (Set, costume, sound, performance, lighting design, etc.)
- Better define performance art activities such as 'Major/Minor spectator establishment' definitions - with reduced restrictions on the minor, or a 'Small Performance' definition that opens up the possibility of less expensive venues in less prominent locations.

Live Music

Create a definition that will allow not incur a nightclub licence, has lighter restrictions, and is more accessible to families.

- Review the nightclub definition to ensure it is achieving what it means to.
- How should a Café with regular entertainment be defined?

VI ZONING ISSUES

Expand use class definitions to more zones

Permit arts activities throughout a wider range of zones with the intent of allowing arts activities to operate in affordable locations, and focusing art activities to create “art districts” or to encourage a density or synergy of activity.

Provide better support for small arts services to operate from home

- Support **major** home businesses by reducing parking requirements and by taking a more proactive approach to permit artist uses in residential neighbourhoods.
- Allow **minor** home businesses the ability to use garage or amenity building without incurring additional parking.

Expand the live/work and home-based business use classes into more zones where residential uses are allowed

Create broader/more flexible zoning for artist driven community uses

- A multiplicity of uses in one space or under one roof is a common hallmark of artist activity. IE/ an art studio can also become a temporary black box theatre – going from private use to a public use.

Change zoning rules so arts can access affordable spaces:

- EG/ industrial zones offer lower rental rates than commercial zones. Industrial space is conducive to artists’ needs.

Festival and Event places

Consider public (urban) spaces frequently used for festival, event or performance uses be rezoned as “Festival and Event spaces” with a set of regulations suited to those activities (hours/numbers of people, sales of goods etc.)

- EG/ Winston Churchill Square is zoned as parkland south of 102A, activating Parks Bylaw 2202 with its closure hours, restrictions on sale of goods + Business, Vending and Space Use Licenses / Permit requirements.

VII LARGER PLANNING MOVES

Build sustainable arts uses into Downtown Plan, Quarters, Arena District, and other Neighbourhood Revitalizations

Concern that costs, and regulations for limiting uses permitted in live/work units will curtail actual and envisioned arts uses. Consider zoning certain areas for artist live/work studios, or an overlay geared toward building an arts community.

- Create a working group between the planning department and Arts stakeholders to define areas and best uses.

Plan for an Arts District/zone/clusters and consider the creation of an artist “live/work precinct”

Arts space - Live/work + work only studios, performance, rehearsals, arts industry, etc - needs to be planned for to enable their sustainability in core areas. Include compatible uses such as nonprofit organizations, galleries, cafes, yoga studios etc.

- Create or support an artist “live and work precinct” or “artist studio precinct” in an appropriate area:
 - 102 Ave and 106 St. - live/work studios, work only studios, galleries, and nonprofit organizations
 - 104 ST – Mercer Building, Saddlery Building and other live/ work condos
 - 105 Ave & 115 St - theatre, photography, visual artists etc
- Develop an Arts Overlay to be applied over areas where arts activities are desired without changing the zone.

Consider a “live music district” in the Old Strathcona BRZ

Consider a “homecraft zone” in residential areas of the city where such a zone is appropriate (EG/ mature neighbourhoods)

To better enable artists to work from home and from garage studios. Uses may include creation, production, gallery, sales, storage, and small teaching workshops.

STRATHCONA JUNCTION DC1

The DC1 includes live/work studios and encourages arts activities in the warehouse stock that exists and in new construction. The only residential use will be live/work. Land remediation is required due previous rail-lands use. But a development only needs to remediate the land to the level of the initial intended use, which is less intensive for non-residential.

- Consider City assistance to developers to remediate the land for live/work use.

KEY ISSUES BEYOND THE PURVIEW OF BYLAW & LICENSING UNITS

Affordability and Sustainability

Long-term access to affordable space is key to stability of art space in Edmonton.

- Loss of affordable commercial space in city and a loss of warehouse spaces in the downtown due to gentrification. Unaffordable space and venue rental for performers and performances. When artists do find an affordable space it is often in the 'wrong zone'.
- Equity and space ownership is necessary: Arts orgs need to gain control of spaces through co-ownership. Arts organizations want find ways to partner with the City to share a mortgage.

Substandard performance spaces in general

Artists with space are in old, crumbling, poor quality spaces. The urgency is significant.

- Performance spaces in Edmonton do not meet national standards of mainstages across country.
- Artists lack of control over the spaces that they rent or sublease, including access hours, temperature, lighting etc. Even owner-lead rezoning applications can stall, impacting their security and ability to program.
- The city has no venues that are set up appropriately for dance.
- City inventory of buildings are old, substandard spaces in need of expensive capital upgrades.
- More family friendly live music venues are needed

The new Downtown Plan and its impact on affordable space for artists

Artists currently inhabit, work, and exhibit from studios along on 104St, 106St and 102Ave, creating a vibrant district. Many studios in this area have been shut down over the years. New development plans will make this area increasing unaffordable for the arts community. Political will and planning measures will help to retain the arts community in the downtown.

- Fill empty buildings with arts uses - partner with or assist developers who want to affordably lease empty building to arts groups and nonprofits (eg/ Mercer building).

Investment in arts space development.

Edmonton has a history of one-off's but we need to plan for long-term solutions.

City inventory of buildings

- City building lease cycles are too short to win grants and to invest in renovating spaces to meet needs. Review City maintenance and lease agreements.
- Create an inventory of city owned buildings designated for cultural use and their conditions, and commit to bringing them up to current safe standards.
- Unused city inventory could be used for arts work spaces
- Personal liability requirements for renting space from community leagues and other city buildings inhibits groups from using facilities.
- Create a protocol for reporting project status updates - what format, what information, who should receive it?

Funding Issues

- Government cutbacks impact space and diminished capacity for artists and companies to produce.
- Grant monies stay the same while operating expenses increase. Grant monies used for space upgrades are lost when groups are forced to move due to rental increases or landlord discretion.
- Operating grants are not for staff and administration. Considerable creative time is spent on this issue alone.
- The funding system seems to favour concepts from known organizations and is not applied at early enough stages.

Others:

- Branding + promotion of local culture is needed as is a drive to grow young arts audiences with better K-12 education
- Support development and retention of professional level performers.

IDEAS FOR PLANNING AND DEVELOPMENT INCENTIVES/INITIATIVES

**To be a world class City, Edmonton needs take a new perspective as a city: "We WANT arts groups; let's plan for them."
Become active arts advocates. Open up staff attitudes and creative thinking forwarding nonprofit arts developments.**

- ✓ Designate a Mayor’s Task force to fully examine and conceive ways Edmonton can expand and foster the development of creative spaces in Edmonton - Model: Denver
 - Building on the work initiated by the Art of Living Recommendation #2 with Arts Habitat, the EAC, and the Bylaws and Zoning Department, include economists, planners, member of council, real estate association, development expert, civic leader, BRZ rep, revitalization expert, artist stakeholder, etc.
 - Develop a set of recommendations to council ranging from arts districts to tax incentives
 - Identify pathways and next steps required for implementation.
- Designate a Champion for arts and culture development within the City Planning Department
- Conduct conversations for arts spaces at a City level - Help facilitate and initiate more projects.
- Increase investments in premier community arts spaces - Put more City spending in “tier 3” (small, community, local, emerging, incubator) arts space including operational, and capital dollars. Host municipally purchased spaces. Create subsidized premier arts spaces for interdisciplinary performance.
- Recognize that not just any space will do – artists have specific space requirements for their individual pursuits. Help raise standards and expectations for artist spaces.
- Consciously plan for ‘Arts Precincts’ or ‘Arts Strips’ - Build the arts in at a planning level
- Plan for affordability & sustainability of appropriate artist studio spaces
- Support arts groups to own space (eg. cluster ownership)
- Update City Artist Information - including Economic impact assessments and inventory of arts designated City spaces
- Improve City owned buildings and lease agreements
- Provide incentives to landowners to fill empty buildings
- Provide Incentives to landowners/developers/businesses to provide arts spaces
- Create more city incentives and city subsidies for the arts/ artists
 - Consider Funding Models for Arts Space
 - Create incentive programs and city/developer/arts group partnering opportunities
 - Rethink and broaden existing city incentive/ programs to include art space benefiting all artistic disciplines
- Provide Education for arts organizations on how to navigate their way through the City Process
- Help nonprofits succeed with their development projects by developing and providing templates of process
- Provide educational opportunities for programs that do exist
- Provide City support through a qualified project manager and senior team for each project
- Enable Arts as Industry
- Brand Edmonton Arts
- Implement creative solutions for parking in mature areas.

TYPES OF SPACE ARTISTS SAY ARE NEEDED:

THE ARTS COMMUNITY IDENTIFIED THE MOST URGENT CURRENT ART SPACE NEEDS AS:

- 1 Affordable Studio/work space / Fabrication space requiring tools – including both smaller work-only studio spaces (150 – 500 sq ft) as well as Professional work-only painting and sculpture studios. (1500 + sq ft)
- 2 Production space
- 3 Rehearsal /production space
- 4 Storage
- 5 Workshop / Instruction space
- 6 Presentation/Performance venue
- 7 Exhibition venue
- 8 Audience space
- 9 Meeting space
- 10 Administration/ Office space
- 11 Live/work space

OTHER SPECIFIC KINDS OF ARTS SPACES IDENTIFIED AS NEEDED INCLUDE:

Studios

- Both smaller work-only studio spaces (150 – 500 sq ft) as well as Professional work-only painting and sculpture studios. (1500 + sq ft)
- Large affordable Commercial or industrial spaces/buildings w loading capability.
- Designated artist spaces that artists sustainably rent or own EG (New York studios)
- Art space for multiple uses: ie/ hold an art show in your studio, gatherings.
- Affordable rehearsal, performance and workshop spaces in general
- Collaborative spaces for craftspeople, designers and artists.
 - A 'design studio incubator' or design collectives/co-op studios to kick start new creative businesses in Edmonton
 - Development of specifically designed co-operative housing projects for singles, couples and families (in the Strathcona area) with a visual art/artisan focus.

Facilities

- Community spaces - for events, performance and exhibitions and workshop/classes.
- A City Arts Facility
- A Circus specific facility
- Municipally designated buildings for gathering spaces
- More suitable and affordable space for both rehearsal and performances eg. Dance Centre in Vancouver
- Culturally specific venue for weather related contingency (summer and winter) in North Edge and Chinatown.

Venues

- Sponsored premier multi-space destination facility
- Performance arts specific multi-user/partner spaces – like the Epcor Centre in Calgary
- Interdisciplinary performance space that suits dance and media. Can be shared space
- Something that will replace the Casa Theatre (supported by the provincial government).
- Main stage venues that meet standards across the country for creation and performance of dance and theatre
- Appropriate dance performance space period
- 600 – 1600 seat mixed venue
- Mid-sized venue in an accessible location (500 – 700 seats)
- Small performance space (<450 seats)
- An affordable “soft seat venue” (Fixed seats?) with about 200 seats
- Technically equipped venues seating 100 – 300
- Much smaller (75 seats): premier multi-functional performance spaces
- Child oriented venues / Live music venues that are open to children and minors
- Smaller live music venues to meet local demand - more live music venues in general.