

<b>TO:</b>	<b>CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE  MEETING ON MONDAY, MARCH 21, 2016</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>MUSIC, ENTERTAINMENT AND CULTURE DISTRICTS BACKGROUND STUDY STATUS REPORT</b>

**RECOMMENDATION**

That the report **BE RECEIVED** for information and that staff be directed to continue on with the public engagement process and completion of the Music, Entertainment and Cultural District Background Study which could recommend amendments to various City By-laws and processes for the 2017 event season.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

1. Planning Entertainment Uses for Downtown Revitalization (April 9, 1996, August 26, 1996 and September 30, 1996)
2. Regulation of Noise from Outdoor Patios and/or Restaurants/Taverns (June 2001)
3. Residential-Entertainment Interface Study –Preliminary Report (June 21,2004)
4. London’s Cultural Prosperity Plan (March 5, 2013).
5. London Music Strategy (September 2, 2014)
6. “Our Move Forward” – London’s Downtown Plan (Council adopted April 14, 2015)
7. Report to SPPC on Terms of Reference for Potential Culture Districts in the City of London Background Study (October 26, 2015)

**BACKGROUND**

**Study Process so Far**

On October 26, 2015 the Music, Entertainment and Culture District Study Terms of Reference was presented to the Strategic Priorities and Policy Committee (SPPC) and on October 27, 2015 Council resolved:

*That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Council resolution of March 10, 2015 relating to the establishment of Culture/Entertainment Districts in the City of London that will include music and entertainment:*

- a) *the Terms of Reference, attached to the staff report dated October 26, 2015 as Appendix 1, **BE ADOPTED** as a basis for the preparation of a study which will define*

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*the purpose and potential locations of such districts in the City of London; it being noted that such changes may require changes to be undertaken to the Official Plan, Zoning By-law, other City by-laws and City processes;*

*b) the Civic Administration **BE DIRECTED** to undertake and report back by March 2016, on Phase 1 of the study, which will focus on regulatory matters that optimize the efficient and effective staging of events; and,*

*c) the Civic Administration **BE DIRECTED** to report back by July 2016 on Phase 2 of the study, which will address promotional matters, municipal operating and capital cost impacts, and other potential implementation matters;*

*it being noted that the Civic Administration will engage the area residents with respect to this matter. (2/23/SPPC)*

Council felt that establishment of Music, Entertainment and Culture Districts was an effective tool for municipalities to use to draw performers and tourists to specific areas of the City making it more vibrant. It seemed logical for London to have such Districts, given the various venues that are already in place that support these activities including Budweiser Gardens, the Grand Theatre, Harris Park, Fanshawe College Centre for Digital and Performance Arts, the Palace Theatre, numerous bars and eateries, various streets and squares that host many festivals and celebrations during summer months, among others. A vibrant District can attract tourists and encourage the assembly of City residents and make a significant contribution to a healthy City economy.

To help determine the scope of regulatory matters to be included in Phase 1 of the study, on December 2015 Planning staff organized an internal stakeholder meeting involving City staff from Planning, Parks and Recreation, By-law Enforcement, Culture Office and Building plus representatives from the London Arts Council, Tourism London, Downtown London and Old East Village. Discussion at the meeting can be summarized by the following key issues with by-laws and the regulatory process raised at the meeting:

- considerable time was spent discussing the time needed to complete the Background Study, complete a comprehensive public engagement process and make necessary changes to accommodate “ Country Music Week ” in September 2016 that they felt meeting the initial deadline of March 2016 set by Council was difficult. The group felt it was better to concentrate first on “Country Music Week” and the changes needed to make sure that this major event ran smoothly. Because of the size and complexity of that event, the group felt that, it could serve as a test case for future changes to our by-laws and processes for the 2017 event season;
- the language in the Special Events Policy Manual for non-profit vs. for-profit events is different;
- the regulatory scheme for events on public vs. private property is different;
- different rules for different locations;
- the background study should concentrate not only on the larger events but should include the experiences of all types of large and smaller events at different times of the year;
- review the provision of amplified music and/or dancing on patios;
- consider different ways to measure sound levels (eg. At the property line not the stage); and,

- how to deal with the growth of events over time.

### Focus of this Report

This report will provide a status report on three themes; 1) general changes needed to accommodate “Country Music Week “; 2) the types of things we monitor during the event to be used for evaluating changes to by-laws and processes at a later date; and 3) update on the public engagement process and the preparation of the Music, Entertainment and Culture District Background Study.

#### **1) Are there any regulations and/or processes we need to change now to accommodate “Country Music Week”?**

As discussed at the internal stakeholders meeting in December the intent is to use the event as a test for future events. “Country Music Week” will be the largest event London has ever held, bigger than the World Figure Skating Championships and the two Memorial Cups, and it is an opportunity to see what issues arise, if any, as a result of the size and complexity of the event. There are approximately 35 sanctioned events and more than 35 unsanctioned events that will run in conjunction with the event from September 8-11<sup>th</sup>, 2016. It will involve both indoor and outdoor music and entertainment in various locations and closure of some Downtown streets. This Study’s intent is to use the opportunity presented by the event request to seek removal of perceived barriers for a limited time, monitor what happens and then evaluate what changes are needed for future events.

The co-ordinator of “Country Music Week” indicated that the following may be needed to facilitate the event;

1. Exceed noise by-laws and Events Manual limits (louder and longer);
2. Street Closures;
3. Open Licensing along Dundas Street;
4. Various permits;
5. Regulation of non-event buskers;
6. Regulation of certain ages at events by time of day;
7. Identification of infrastructure requests for late 2016 and how it could impact event; and,
8. Need to go beyond acoustical music on patios

An event planning committee has been formed and specific requirements have not been identified yet. It is intended that a delegation to the Community and Protective Services Committee (CPSC) will be made shortly to outline the exemptions to the Special Events Policies and Procedures Manual and City By-laws needed to host the event. Some of the issues they are dealing with include;

1. Interrelationship between municipal (health, fire and police) and provincial (Alcohol and Gaming Commission, Tobacco) organizations; and,
2. Separate noise regulations for public vs. private events.

**2) What types of things do we need to monitor during “Country Music Week” to evaluate what we may seek to change for the 2017 festival season.**

With “Country Music Week” being used as a “test event” for perceived barriers and opportunities in applicable policies and regulations, there are a number of criteria that should be monitored during that event. The criteria developed to this point are proposed to include;

1. Number of Noise Complaints, both from indoor and outdoor sources;
2. Number of parking infractions;
3. Number of road closure complaints;
4. Number of garbage complaints;
5. Liquor infractions;
6. Downtown pedestrian counts;
7. People attended the event; and,
8. Economic Impacts, increase in downtown business at stores, restaurants and hotels.

Following the event, this information will be collected and reported back to the Committee.

Similarly, relevant information is also being collected from the “Rock the Park” event. Both deal with the issue of citizen/neighbor impact. At the same time the staff report on “Country Music Week” will also report back on the survey of the “Rock the Park” event as requested by the Committee resolution on April 21, 2015. In 2015 Council allowed the “Rock the Park” event to occur on five consecutive days and, following the event, a consultant was hired to complete a survey of 300 nearby and city residents.

**3) Status Report on the Music, Entertainment and Culture Background Study**

Currently staff are concentrating on two key components of the study; 1) a review of other Canadian and U.S. municipalities’ experiences with encouraging and regulating music, entertainment and cultural events; and 2) completing of a comprehensive survey of small to large event organizers followed by citizen surveys. The results of the latter two surveys will allow us to direct attention at the “problem areas” for the background study.

**Other Cities Review**

A web review found information from Canadian cities, Toronto and Kitchener, and American cities, Seattle WA and Austin TX, and the state of Ohio. The information includes comprehensive reviews of entertainment uses and districts, existing policies, economic impacts, examples of permit applications, sound by-law standards and lists of prohibited activities. Further review will be required once our issues are identified to provide alternatives.

**Event Organizer Survey**

Planning staff, with the help of internal stakeholders, have developed a comprehensive survey for

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small to large event organizers (see attached Appendix 1). On February 25, 2016 we e-mailed 165 surveys with a deadline date of March 21, 2016 for completion of the survey. To date we have received 32 completed surveys back in response to the e-mail for a current return rate of approximately 20%. A reminder e-mail was sent March 9<sup>th</sup>. On the cover letter we indicated we are willing to meet with individuals and/or groups to discuss the survey. The survey was also posted on our website on February 25<sup>th</sup> and the link has been tweeted by the London Arts Council and advertised in their newsletter.

**Public Consultation**

The Londoner notice for the Study Terms of Reference was placed on October 22, 2015 and study initiation notices were placed in the Londoner on December 31, 2015 and January 14, 2016. A website also has been developed <http://www.london.ca/business/Planning-Development/current-topics/Pages/Music-Ent-Dists.aspx> which gives a brief description of the project, lists reports and Council directions and identifies the contact persons for the project. Before Summer 2016 we intend to engage neighbourhood groups which are in close proximity to event locations. Planning Services maintains a list of primary neighbourhood contacts and it is intended that individual and/or group meetings be held.

**4) Next Steps**

On March 21, 2016 the organizer surveys will begin to be evaluated by the stakeholder group with a view to obtaining relevant recent information from as wide a spectrum of small-to-large event organizers as possible. Key issues/obstacles/roadblocks will be identified.

Between March and June 2016 we will engage the neighbourhoods close to event locations. The involvement of the Urban League will be necessary to identify the specific contact people.

Because of the consensus reached at the December 2015 stakeholders meeting and its effect on the earlier proposed sequence and timing of project reports, we will not have the information we'd originally thought we'd have ready to submit in July 2016 (as indicated in the 2016-2017 Planning Services approved work program) . Instead we propose to report in Q4 (November 2016) on a recommended Music, Entertainment and Culture District strategy which synthesizes all the inputs described above.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
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<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

February 29, 2016

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## Appendix 1 – Survey for Event Organizers

February 25, 2016

### Music, Entertainment and Culture Districts Study

#### Survey for Event Organizers

At the direction of London City Council, City staff are currently reviewing existing regulations and processes which affect music, entertainment, and cultural events. This study may result in recommended changes to relevant regulations and processes in the upcoming year. You can find more information about this study at [london.ca](http://london.ca) by searching “culture district.”

You are receiving this survey because you have held one or more events within the past three years in London. The survey is focused on learning about your organization and its experience with the event most recently held. Individual responses will not be released unless otherwise required by law and only aggregate information may be made public. Please feel free to forward this survey on to anyone who has hosted an event within the last three years in London.

Your feedback is greatly appreciated as input into this study. If you have questions about this survey, or would like to get involved, please contact City of London Planning Services at (519) 661-4980.

Please complete and return this survey by **4:30pm on March 21, 2016** by e-mail to [kkillen@london.ca](mailto:kkillen@london.ca) or by mail to:

Planning Services, Attn: Kerri Killen  
206 Dundas Street  
London ON N6A 4L9

Please indicate your response in the space provided or by selecting the appropriate answer. If a question does not apply or if you prefer not to provide a response to a question, please leave the question unanswered. Please answer these questions with respect to the event that you hosted most recently in London.

**GENERAL INFORMATION ABOUT YOUR ORGANIZATION**

1	What is the name of the organization you represent?
2	Which one of the following options best describes your organization? <input type="radio"/> Registered not-for-profit <input type="radio"/> Private (sole proprietorship) <input type="radio"/> Private (corporation) <input type="radio"/> Public corporation <input type="radio"/> Other, please specify
3	What country is your organization based out of? <input type="radio"/> Canada <input type="radio"/> United States <input type="radio"/> Other, please specify
4	How many years has your organization been in operation? <input type="radio"/> Less than one year <input type="radio"/> One to five years <input type="radio"/> Five to 10 years <input type="radio"/> More than ten years

**GENERAL INFORMATION ABOUT YOUR EVENT**

5	Please indicate the name of your event most recently held in London.
6	When was the event held?  yyyy/mm/dd - yyyy/mm/dd Start date      End date

7	How frequently is the event held in London? <input type="radio"/> One-time event <input type="radio"/> Annually <input type="radio"/> Other, please specify
8	Approximately how many people attended the event? <input type="checkbox"/> Don't know
9	Estimate the percentages of where your event attendees come from. % London Area % Outside of the London Area, but within Ontario % Outside of Ontario, but within Canada % United States % Other <input type="checkbox"/> Don't know
10	Where was the event held? <input type="radio"/> Indoors <input type="radio"/> Outdoors <input type="radio"/> Both
11	Please indicate the name of the site(s) or street address(es) of the event.
12	Did you feel the physical space you held the event in was an appropriate size? <input type="radio"/> Too small <input type="radio"/> Appropriate <input type="radio"/> Too large
13	Do you think there are enough options in terms of event spaces to host events in London? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't know



14 If there are sites or spaces you would like available for events that are not currently available, please indicate the location(s).

15 Did you use any of the following to promote the event? Please select all that apply.

- Posters at retail locations
- Poster boards
- Billboards
- Banners
- Digital kiosks/signs
- Did not use any of the above (go to question 17)

16 Do you feel there were enough opportunities to promote the event in London through the options listed in the previous question?

- Yes
- No, please explain

**GENERAL REGULATORY ISSUES**

17 Did you experience barriers with any of the following during the preparation or operation of the event?

- Noise By-law
- Parking By-law
- Sign By-law
- Alcohol and Gaming Commission of Ontario (AGCO) regulations
- Tobacco regulations
- Other, please specify
- No issues with by-laws and/or regulations

18 Did you have to change any aspects of your event to abide by provincial or municipal policies or by-laws?

- Yes
- No (go to question 23)
- Don't know (go to question 23)

19 What did you have to change to abide by provincial or municipal policies or by-laws?

20 Did the change(s) you made to abide by provincial or municipal policies or by-laws cause a delay in hosting your event?

- Yes
- No
- Don't know

21 Was there a cost involved in making the change(s) to abide by provincial or municipal policies or by-laws?

- Yes
- No
- Don't know

22 Did you feel the change(s) made to abide by provincial or municipal policies or by-laws greatly affected the nature of your event?

- Yes
- No
- Don't know

**SPECIFIC REGULATORY ISSUES**

23	Did you receive a noise complaint while hosting the event? <input type="radio"/> Yes <input type="radio"/> No (go to question 26) <input type="radio"/> Don't know (go to question 26)
24	What was the reason for the noise complaint received? <input type="radio"/> Volume of noise <input type="radio"/> Time of noise <input type="radio"/> Both <input type="radio"/> Don't know
25	Was a fine or a warning issued for your noise violation? <input type="radio"/> Fine <input type="radio"/> Warning
26	Did noise restrictions or their enforcement affect the event? <input type="radio"/> Yes <input type="radio"/> No (go to question 28)
27	Please describe how noise restrictions or their enforcement affected the event.
28	Did you receive any complaints from people attending your event that there were problems finding parking? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't know

29	Was the event well-serviced by public transit? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't know
30	Do you feel the event would have benefited from increased public transit services? <input type="radio"/> Yes <input type="radio"/> No (go to question 32) <input type="radio"/> Don't know (go to question 32)
31	What type of improved transit service would have benefited the event? (select all that apply) <input type="checkbox"/> Extended hours <input type="checkbox"/> More frequent service <input type="checkbox"/> Shuttle buses <input type="checkbox"/> Special event stops <input type="checkbox"/> Other, please specify
32	Was a street closed for your event? <input type="radio"/> Yes <input type="radio"/> No (go to question 35) <input type="radio"/> Don't know (go to question 35)
33	Did you have any issues with the process of closing a street for the event? <input type="radio"/> Yes <input type="radio"/> No (go to question 35)
34	Please describe the issues you experienced with the process of closing a street.

35	Were there other specific issues not addressed above which impacted the operation of the event? <input type="radio"/> Yes <input type="radio"/> No (go to question 37)
36	Please describe the additional issues.

**GENERAL INFORMATION ABOUT OPERATING IN LONDON**

37	Have you ever hosted the event in a city/town other than London? <input type="radio"/> Yes <input type="radio"/> No (go to question 39)
38	Please describe your experience of hosting the event in London in comparison with other any other city you have hosted the event.
39	How did the cost of operating in London impact the success of the event? <input type="radio"/> Positively <input type="radio"/> No effect <input type="radio"/> Negatively <input type="radio"/> Don't know
40	How did the value of the Canadian dollar impact the success of the event? <input type="radio"/> Positively <input type="radio"/> No effect <input type="radio"/> Negatively <input type="radio"/> Don't know

41	How did provincial funding or grants impact your event? <input type="radio"/> Positively <input type="radio"/> No effect <input type="radio"/> Negatively <input type="radio"/> Did not access provincial funding or grants
42	How did local funding or grants impact your event? <input type="radio"/> Positively <input type="radio"/> No effect <input type="radio"/> Negatively <input type="radio"/> Did not access local funding or grants
43	Does your organization track the economic impact of the event through an “end of event report” that you would be willing to share with City staff? <input type="radio"/> Yes, please attach report <input type="radio"/> No

**ADDITIONAL FEEDBACK**

44	If you have any additional comments or information you would like to provide, please provide your comments below.
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Thank you for your feedback! If you are willing to be contacted by City staff for follow up questions, please provide your contact information below.

**CONTACT INFORMATION**

	Organization contact name
	Business phone number
	Business e-mail address