

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: The Western Fair Association and The Corporation of the City of London
900 King Street and 925 Dundas Street
Public Participation Meeting on: September 24, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Western Fair Association and The Corporation of the City of London relating to the property located at 900 King Street and 925 Dundas Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 **TO AMEND** Section 6.2.2 ii) of the Official Plan to adopt permitted uses for the Western Fairgrounds as identified in *The London Plan*.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to **ADD** new definitions to Section 2 (Definitions), and to change the zoning of the subject property **FROM** a Regional Facility Special Provision (RF(2)) Zone, **TO** a Holding Regional Facility Special Provision (h-18•h-205•RF(*)) Zone and a Holding Regional Facility Special Provision (h-•h-205•RF(*)) Zone.
- (c) Civic Administration **BE DIRECTED** to consider amendments to the Official Plan and the Zoning By-law for the balance of the Western Fairgrounds that are located north of King Street and bounded by existing commercial/residential to the north, Ontario Street to the east, King Street to the south and Rectory Street to the west; and located south of Florence Street bounded by Florence Street to the north, Egerton Street to the east, the CN railway facilities to the south and Rectory Street to the west to align the planning framework for all the sites operated by Western Fair Association.
- (d) Civic Administration **BE DIRECTED** to review the proposed Statement of Significance contained in the Cultural Heritage Evaluation Report for 900 King Street prepared by Common Bond Collective (August 2018) and consult with the London Advisory Committee on Heritage for consideration of the designation of the property under Part IV of the Ontario Heritage Act (R.S.O. 1990, as amended).
- (e) The Site Plan Approval Authority **BE REQUESTED** to consider the following for inclusion in the Development Agreement: *"That the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to the satisfaction of the City of London."*
- (f) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the Site Plan Approval process:
 - i) Locate any new buildings as close to Queen's Park as practical, in order to contribute to a positive relationship with this key public space and help to further define the edge of the park.

- ii) Ensure that new building locations do not preclude the opportunity for street-oriented buildings abutting Florence Street, Rectory Street and King Street in order to provide for an active street edge in the future.
- iii) Provide an on-site walkway that connects between Queen's Park and the Park-facing building entrance, moving pedestrians through any intervening surface parking area. This walkway should be significantly wider than standard walkways, have a distinctive surface material and/or finish, and be supported by appropriate flanking landscaping, including trees, along its edges.
- iv) Design the northerly (facing Queen's Park) and westerly (facing Rectory Street) building elevations as principal building elevations. The principal building elevations will be the priority for architectural treatment and emphasis. Principal building elevations are meant as the front "face" of the building. They should include primary building entrances and transparent glazing as a principal component providing openness between the interior building activity areas and the exterior. Emphasis of primary building entrances should be achieved through a combination of glazing, lighting, signage and building overhangs or canopies.
- v) Secondary building elevations should be designed with windows or glazing, a diversity of material types (which may include non-transparent glazing), colours, and/or features together with variations in the depth of the wall plane to avoid long stretches of blank, monotonous, and featureless walls. Design elements should be applied to establish a positive pedestrian environment.
- vi) Design taller hotel components with a base that contributes to a transparent, active, and human-scale on the ground; and a top that provides a refined and interesting finish to the building that would reflect its prominence within the broader Western Fair District and Old East Village.
- vii) Use quality, durable cladding materials throughout all building elevations that fit with the overall building architecture and unify the project. There is a wide diversity of cladding materials that are appropriate for a contemporary architectural expression, including compositions of transparent glass, metals, woods and masonry products.
- viii) Explore opportunities for incorporating similar materials, colours or finishes from surrounding cultural heritage resources.
- ix) Include screening walls to rear loading and service areas and any field of parking; and ensure that these walls are clad in a consistent fashion to that of the main building architecture.
- x) Parking should be avoided between Queen's Park and any adjacent building.

Executive Summary

Summary of Request

The Western Fair Association ("WFA") and Realty Services at the City of London ("the City") requested a Zoning By-law Amendment ("ZBA") to change the existing zoning for the subject lands to accommodate the development of a casino and hotel by Gateway Casinos and Entertainment Limited ("Gateway"). The requested amendment would change the zoning of the subject lands from Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(*)•B-*)Zone.

The existing RF(2) Zone broadly permits “*Uses and activities associated with the WFA*” as additional permitted uses, but would limit other users to only the uses permitted in the standard Regional Facility (RF) Zone. The requested special provision would list a *specific* range of uses as additional permitted uses, and include the uses that have been historically provided by the WFA and those that operate from the subject lands, as well as the new uses associated with Gateway’s proposal. The requested special provision also include regulations that specify a gross floor area maximum for certain uses, a reduced yard depth minimum where fronting public roads, exceptions to standard permitted yard encroachments, a single minimum parking rate requirement for all permitted uses, and allow required parking to locate on adjacent lots. The requested amendment would include a Bonus Zone for increased height for hotels in return for certain community benefits and would also add new definitions to the City’s Zoning By-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Official Plan Amendment (“OPA”) and ZBA is to provide for a range and mix of entertainment, recreational, and secondary commercial land uses that reflect the intended function of the Western Fairgrounds. The recommended OPA would update the *1989 Official Plan* to adopt the same permitted uses for the Western Fairgrounds as those identified in *The London Plan* which explicitly contemplate hotels on the Western Fairgrounds.

The recommended ZBA would add a definition for Casinos, Fairgrounds, Racetrack Operations, and Urban Agriculture to Section 2 (Definitions) in the City of London Zoning By-law Z.-1 and change the existing zoning of the subject lands from Regional Facility Special Provision (RF(2)) Zone to a Holding Regional Facility Special Provision (h-18•h-205•RF(*)) Zone and a Holding Regional Facility Special Provision (h-•h-205•RF(*)) Zone. As requested, the recommended special provision would continue to permit uses associated with the WFA’s operations, but would specifically identify those uses as additional permitted uses, and include new uses associated with Gateway’s proposal and associated regulations.

The recommended regulations include a gross floor area maximum for certain uses, a reduced yard depth minimum where fronting public roads, a single minimum parking rate requirement for all permitted uses, and allow required parking to locate on adjacent lots. The recommended regulations also include an increased height maximum for hotels, rather than a bonus zone for increased height as initially requested. Holding provisions are also recommended to ensure the subject lands are assessed for the presence of archaeological resources and/or monitored; and potential compatibility issues between existing railway facilities and any future sensitive land uses are addressed through detailed studies.

Rationale of Recommended Action

1. The recommended amendments are consistent with the *2014 Provincial Statement (“PPS”)* and will provide for a broad range and mix of entertainment, recreational, and secondary commercial land uses that will allow for the intensification, redevelopment, and revitalization of the subject lands. The recommended range and mix of land uses will also provide for more sustainable, year-round tourism on the subject lands which has the potential to improve the long-term economic prosperity of the community and support current and planned transit proximate to the subject lands consistent with the *PPS*.

2. The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*.
3. The recommended amendment to the Zoning By-law, and the list of specific land uses to be recognized as additional permitted uses is generally consistent with the permitted use of Western Fairgrounds as described in the *1989 Official Plan* and conforms to the specific policies for the Western Fairgrounds in *The London Plan*.
4. The recommended regulations providing a single parking rate for all permitted uses and the ability to locate required parking on adjacent lots will result in a reasonable and appropriate amount of parking, consistent with the PPS that promotes appropriate development standards and the efficient use of land. The recommended increase in building height up to a maximum of 50 metres for hotels without the use of Bonus Zoning conforms to the 12-storey building height maximum contemplated in *The London Plan*. The recommended minimum yard depth requirement abutting a public street of 3.0 metres will support street-oriented development consistent with the form based consideration for the Western Fairgrounds found in *The London Plan*.
5. Recognizing the significant cultural heritage value of the subject lands, and consistent with the PPS and conforming to the *1989 Official Plan* and *The London Plan* that direct significant cultural heritage resources to be conserved, it is a recommendation of this report that Staff be directed to consider designation of the subject lands under Part IV of the *Ontario Heritage Act*.
6. Consistent with the PPS and conforming to the *1989 Official Plan* and *The London Plan* that direct significant archaeological resources be conserved, holding provisions will be used to ensure that potential archaeological matters are addressed. This includes the use of a new holding provision for an archaeological monitoring mitigation strategy. It is also a recommendation of this report, that the Site Plan Approval Authority be requested to consider adding a clause to the Development Agreement that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to ensure the conservation of archaeological resources.
7. A holding provision is also recommended to be used to ensure any land uses compatibility issues with major facilities, namely railway facilities, are addressed consistent with the PPS, and conforming to *The London Plan* and other relevant guideline documents.

Analysis

1.0 Site at a Glance

1.0 Property Description

The subject lands are bounded by Dundas Street and King Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street and Ontario Street to the west and comprise approximately 19 hectares (47 acres). The subject lands are municipally known as 900 King Street and 925 Dundas Street. The subject lands, together with adjacent lands associated with, and operated by, the Western Fair Association (“WFA”), are commonly known as the Western Fairgrounds. The Western Fairgrounds are located within the historic Old East Village (“OEV”) neighbourhood, and are a prominent site within the City and the Region.

The subject lands contain a collection of buildings/structures related to the annual Western Fair and other operations of the WFA, the City and the Province (Figure 1). Other operations include harness racing, the weekly farmers market, and Ontario Lottery and Gaming Corporation's slots. The buildings and structures located on the subject lands include the Arts Building, Confederation Building, Grandstand/Slots/Carousel Room/East Annex, Progress Building/West Annex/Canada Building, a remnant of the Poultry Building currently used as an electrical substation and the Anne Eadie Stage. The buildings and structures are predominately located in the north and north-easterly portion of the subject lands, and arrange around, or within, Queen's Park and the existing racetrack. Queen's Park occupies the north-easterly portion of the subject lands, while the south-westerly portion of the subject lands is used as a surface parking area.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Regional Facility
- The London Plan Place Type – Institutional and Green Space
- Existing Zoning – Regional Facility Special Provision (RF(2)) Zone

1.3 Site Characteristics

- Current Land Use – recreational, entertainment and commercial land uses
- Frontage – 163 metres (535 feet) along Ontario Street
- Depth – Irregular
- Area – 19 hectares (47 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – commercial and residential
- East – residential and industrial
- South – recreational and entertainment uses and railway facilities
- West – commercial, industrial and residential

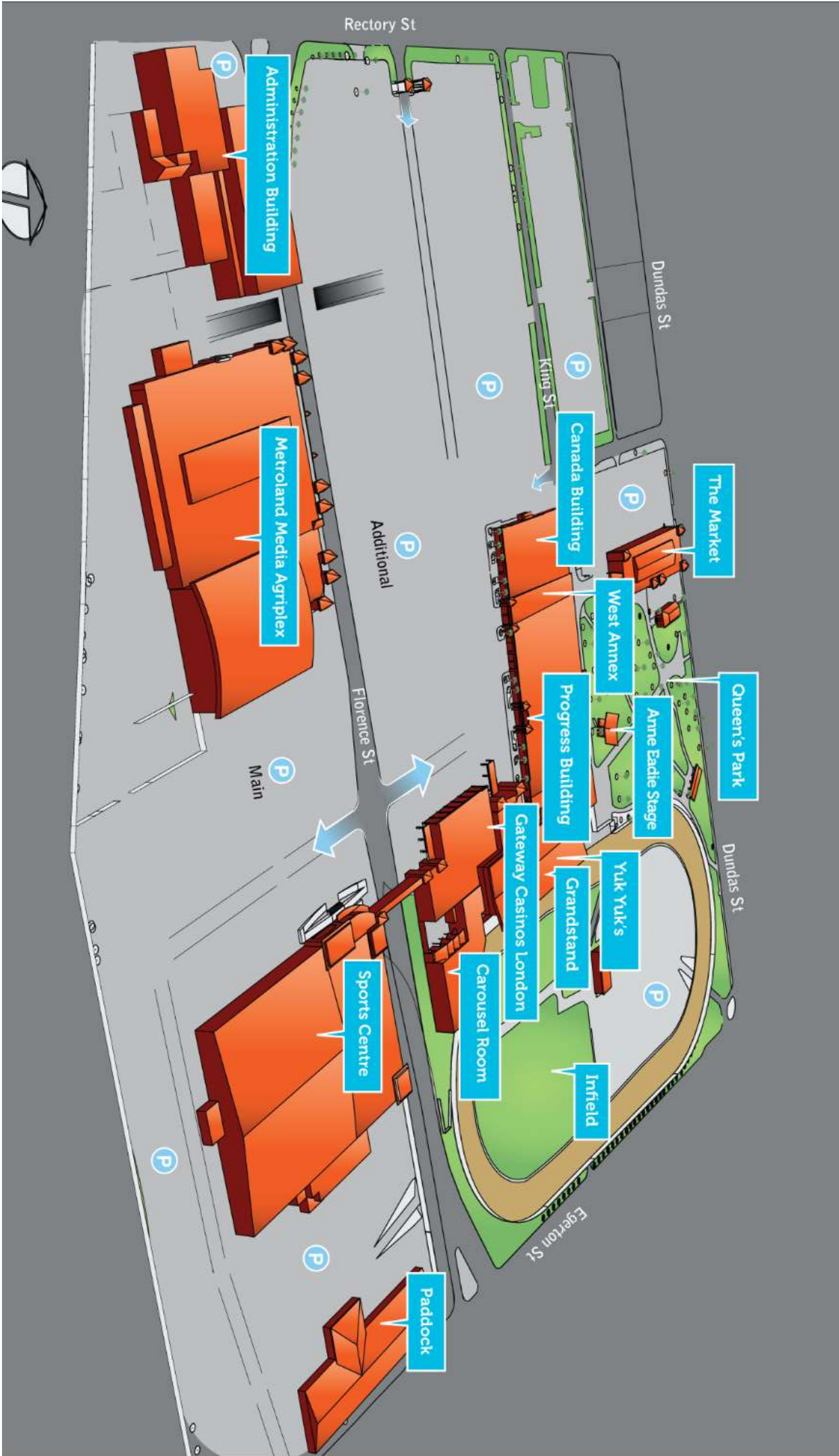
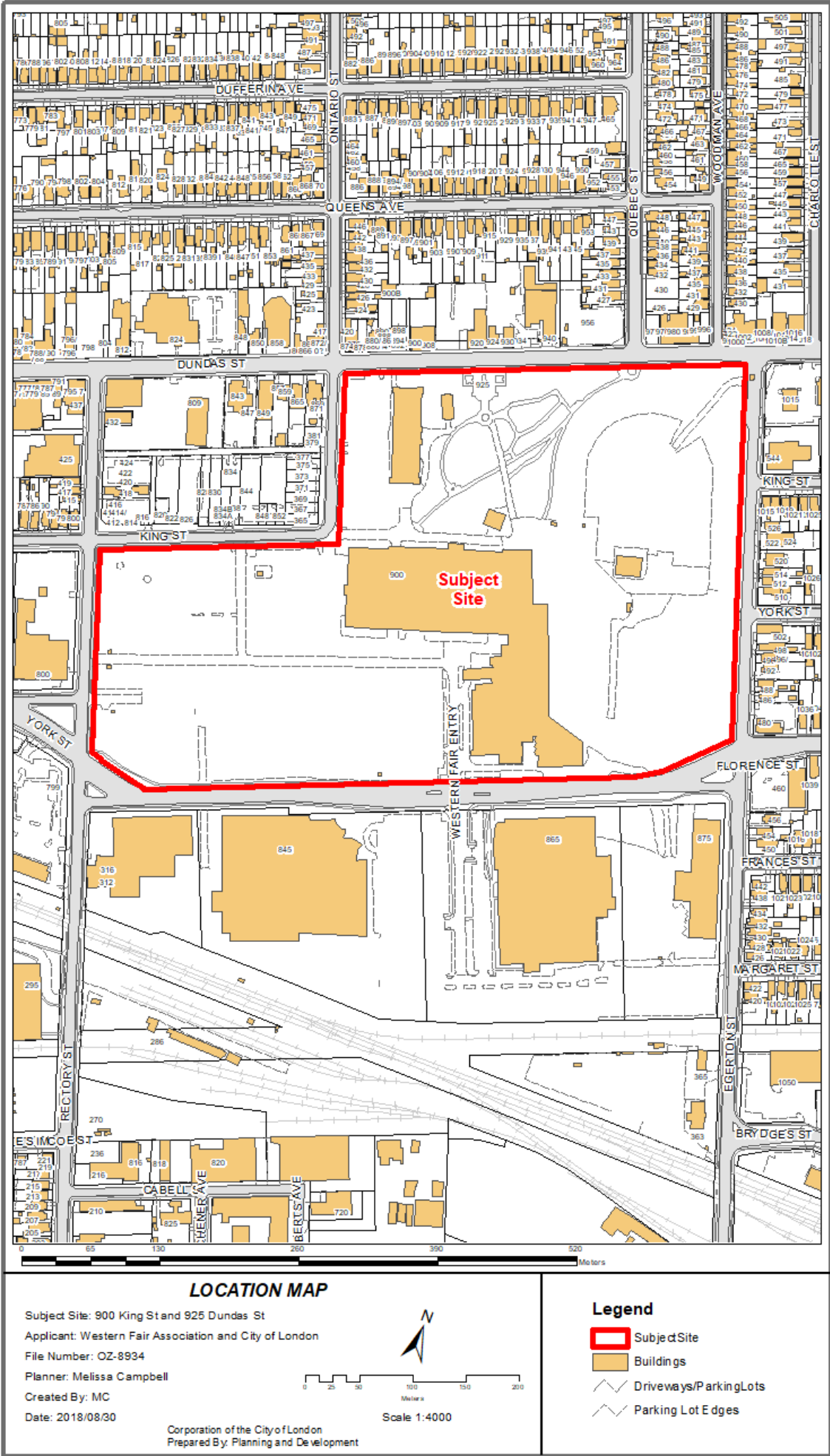


Figure 1: Existing Buildings/Structures Located on Western Fairgrounds

1.6 LOCATION MAP



2.0 Description of Proposal

2.1 Development Proposal

The preliminary development concept proposed by Gateway is phased. The first phase would consist of the demolition of the existing Progress Building/West Annex/Canada Building and the reconfiguration of the existing surface parking area to accommodate a full casino. The proposed casino would have a maximum gross floor area of 20,000 sq. m. Primary building entrances would be on the north side facing Queen's Park and on the west side facing the reconfigured surface parking area. The primary vehicular access is proposed to shift west to a new location along Florence Street that would generally align with the primary building entrance of the Metroland Agriplex located on the south side of Florence Street. The existing vehicular access on Florence Street would remain to provide access to loading areas and rear parking. Loading is proposed between the new casino and the existing Slots/Grandstand/Carousel/East Annex Building that would be maintained in the first phase of development.

The second phase would consist of the demolition of the existing Slots/Grandstand/Carousel/East Annex Building and the construction of a hotel and new grandstand. The hotel would be constructed on the north side of the new casino to form an integrated complex and the new grandstand would be constructed on the east side of the new casino and hotel complex. The proposed hotel would have a maximum gross floor area of 14,000 sq. m and a maximum height of approximately 12-storeys or 50 metres.

The development proposal by Gateway is a preliminary development concept for the purposes of establishing zoning permission and regulations, but may be subject to change, and is not intended to preclude other development options in the future.

3.0 Relevant Background

3.1 Planning History

The existing slots facilities located on the subject lands were permitted through a 1998 Minister's Zoning Order (O. Reg. 684/98) in connection with the existing racetrack operation. The Minister's Zoning Order was, one of many such Orders, intended to support the horse racing industry and the broader agricultural industry across the Province. The Minister's Zoning Order pertaining to the subject lands was revoked in 2011, but the slots facility remained in operation and is permitted to continue as a legal non-conforming use.

The WFA and the City as co-owners of the subject lands are working with Gateway, the provincially licensed operator of the existing slots facility, to facilitate the redevelopment of the subject lands for a full casino and integrated hotel complex. "Expanded Gaming" to allow for a full casino within the City was endorsed by Municipal Council after public consultation in the first quarter of 2018. At its meeting on April 24, 2018, municipal Council endorsed *"the expansion of a gaming site to include entertainment options that would allow for up to 1,200 slots at a casino, and up to 50 live table games"*. The Council Resolution specifically identified the Western Fair District as the preferred location for an expanded gaming facility.

3.2 Requested Amendment

The WFA and Realty Services at the City requested a ZBA to change the existing zoning of the subject lands from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(*)•B-*) Zone.

The existing RF(2) special provision permits uses and activities associated with the WFA as additional permitted uses, but would limit other users to only the uses permitted in the standard Regional Facility (RF) Zone. The requested special provision would continue to permit uses associated with the WFA's operations, but would specifically identify those uses as additional permitted uses, and include new uses associated with Gateway's proposal and associated regulations. The requested additional permitted uses included: Amusement Game Establishments; Amusement Parks; Artisan Workshops; Auditoriums; Brewing on Premises Establishments; Casinos; Craft Breweries; Fairgrounds; Hotels; Places of Entertainment; Racetrack Operations; Restaurants; Retail Stores; and Urban Agriculture.

The requested regulations included a maximum gross floor area of 20,000 sq. m for casinos; a maximum gross floor area of 14,000 sq. m for hotels; a maximum gross floor area for artisanal workshops and craft breweries of 500 sq. m; a minimum parking rate requirement of 1 space per 22 sq. m of gross floor area for all permitted uses; an exception to allow required parking to locate on adjacent lots; a minimum yard depth abutting any public road of 3.0 metres, an exception to allow the encroachment of walls bounding the racetrack within the required yards depths. The WFA and Realty Services have requested Bonus Zoning for increased height up to a maximum of 50 metres for hotels in return for certain community benefits. The identified community benefits included the provision of common open space, underground or structured parking, the enhanced provision of landscape open space, sustainable forms of development, contributions to the development of transit amenities, features and facilities, and car parking, car sharing and bicycle sharing facilities all accessible to the public. New definitions for "Casinos", "Racetrack Operations", "Fairgrounds" and "Urban Agriculture" are requested to be added to the Zoning By-law.

Planning Services at the City has initiated a concurrent OPA to the *1989 Official Plan*, to adopt the same permitted uses for the Western Fairgrounds as those identified in *The London Plan* which explicitly contemplate hotels on the Western Fairgrounds.

3.3 Community Engagement (see more detail in Appendix C)

Notice of Application was sent to property owners in the surrounding area on August 8, 2018 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018. The notice advised of a possible amendment to the *1989 Official Plan* to adopt the permitted uses for the Western Fairgrounds identified in *The London Plan*. The notice also advised of a possible amendment to Zoning By-law Z.-1 to change the zoning from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(*)•B-*) Zone to replace the existing RF(2) special provision which recognizes and permits the uses and activities associated with the WFA, with a list of specific uses expected as part of the WFA's operations and new uses associated with Gateway's proposal as well as associated regulations. The notice also advised of a requested Bonus (B-*) Zone for an increase in height up to a maximum of 50 metres. The notice also advised that the City may consider the use of holding (h-_) provisions.

Three (3) replies were received from the public as part of the community engagement process, and expressed support for the proposed range of additional permitted uses, with an interest in the final form of development; preference that the proposed casino be

located in the Downtown Area; and concern regarding the impact of a casino on the surrounding neighbourhood, including a potential increase in vehicular traffic and on-street parking; and that the casino would not result in expected economic benefits for surrounding businesses. In return for the development proposal by Gateway, it was suggested the following be provided: reduced property taxes for surrounding homes and businesses borne by Gateway; the provision of a Drug Overdose Prevention Site; the construction and maintenance of a public park; and the design of a more appealing raceway fence.

In response to the above noted replies, Staff note that in the absence of a definitive development concept at this time, the design principles contained in this report are intended to provide guidance regarding the expected form of development in the future (see recommendation (f) and Section 4.2.3 in this report). The *1989 Official Plan* and *The London Plan* recognize the Western Fairgrounds as a regional serving entertainment and recreational destination. A casino on the subject lands would conform to the planned intent for the Western Fairground, and the planned intent of the Western Fairgrounds was carefully considered to not detract from the planned intent of the Downtown Area. The large land area requirements associated with a full casino can more readily be accommodated on the Western Fairgrounds, than in the Downtown Area, where land assembly would likely be required. The network of transportation corridors surrounding the subject lands, that includes planned BRT, are intended to move high volumes of traffic. The revitalization and regeneration of the Western Fairgrounds will draw more sustainable, year-round tourism to the site, which is expected to improve the long-term economic prosperity of the surrounding community and the City as a whole.

The WFA and the Old East Village Business Improvement Area (“OEV BIA”) held a Community Information Meeting on August 28, 2018 to provide the community with an opportunity to review and provide comment on the concurrent OPA and ZBA application. Attendees to the Community Information Meeting were asked to register and fill-out comment cards. 31 people were recorded having registered, and 14 comment cards were returned. The OEV BIA provided a summary and thematic analysis of the comments cards (see attached correspondence in Appendix C). Staff heard through the Community Information Meeting, that the ability to provide input on the form of new development on the subject lands is important to the OEV community. There was support for the requested range of the uses and maximum building height up to 15-storeys on the subject lands. The periodic use of the WFA lands located north of King Street, (not subject to this application) for recreational vehicle parking/camping was a concern for a neighbouring property owner. There was also concern for the impact of a casino on the surrounding neighbourhood, including the potential increase in vehicular traffic and on-street parking, safety and vandalism.

3.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2014

The *PPS* provides policy direction on matters of provincial interest related to land use planning and development. The *PPS* encourages a range of land uses in support of efficient, resilient, development and land use patterns. The *PPS* directs growth and development to settlement areas and encourages the regeneration of settlement areas. The *PPS* protects the economic role of rail facilities and requires that sensitive land uses be appropriately design, buffered and/or separated from rail facilities. The *PPS* directs that development shall not be permitted unless significant built heritage resources and significant archaeological resources are conserved. The *PPS* encourages use of transit and active transportation.

The 1989 Official Plan

The *1989 Official Plan* implements the policy direction in the *PPS* and contains objectives and policies that guide the use and development of land within the City. The *1989 Official Plan* assigns land use designations to properties, and the policies associated with those land use designations provide for a general range of land uses, form and intensity of development that may be permitted.

The subject lands are designated “Regional Facility” on *Schedule ‘A’ – Land Use* in the *1989 Official Plan*. The Regional Facility designation is primarily intended for large institutional type uses which serve a regional function. Permitted uses specific to Western Fairgrounds include recreational and entertainment uses consistent with the site’s agricultural roots.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications). The subject lands are located within the “Institutional” Place Type and “Green Space” Place Type on *Map 1 – Place Types* in *The London Plan*. The Institutional Place Type is intended for larger land areas that serve an institutional purpose. Specific Policies for Western Fairgrounds promote the site’s agricultural roots, but reflect an expanded recreational and entertainment focus and explicitly permit hotels. A minimum height of 2-storeys or 8 metres, and a maximum height of 12-storeys, or Bonus Zoning up to a maximum height of 15-storeys, is contemplated in the Institutional Place Type. The Green Space Place Type recognizes the historical use of Queen’s Park as one of the City’s first public parks.

4.0 Key Issues and Considerations

4.1 Use, Intensity and Form

Gateway provided a preliminary development concept for the subject lands to Council in 2017 for information purposes only (See Section 2.1). At this time, there is no fixed development concept for the subject lands, and no certainty as to the final form that development may take in the future. The WFA and the City as co-owners of the subject lands, requested a ZBA to permit and possibly facilitate in the future the development proposal by Gateway. Staff have considered the appropriateness and compatibility of the requested range of land uses, requested increase in height, and explored issues regarding form.

4.1.1 Use

Provincial Policy Statement, 2014

The *PPS* directs settlement areas to be the focus of growth and development and their vitality and regeneration should be promoted (Policy 1.1.3.1). The *PPS* promotes land use patterns within settlement areas that provide for a range and mix of land uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 a) and b)). The *PPS* recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of communities. In support of long-term economic prosperity the *PPS* encourages opportunities for economic development, optimizing the use of land, and opportunities for sustainable tourism development (Policy 1.7.1)

The recommended amendments to the Official Plan and Zoning By-law, will provide for a range and mix of entertainment, recreational, and secondary commercial land uses that reflect the intended function of the Western Fairgrounds and are consistent with *PPS*. The list of specific land uses to be recognized as additional permitted uses include land uses expected as part of the WFA existing operations (i.e. fairgrounds, racetrack operations) as well as new land uses (i.e. casinos, hotels, restaurants) that are

expected to contribute to the revitalization and regeneration of the Western Fairgrounds as a more complete and diverse entertainment, recreational and educational destination. The revitalization and regeneration of the Western Fairgrounds will draw more sustainable, year-round tourism to the site, which in turn has the potential to improve the long-term economic prosperity of the surrounding community and the City as a whole.

1989 Official Plan

The subject lands are designated “Regional Facility” in the *1989 Official Plan*. The Regional Facility designation is primarily intended for large institutional type uses which serve the regional area (Section 6.2). An expanded range of permitted uses permitted by policy specific to Western Fairgrounds includes a range of recreational and entertainment uses consistent with the site’s agricultural roots and the WFA strategic plan (Section 6.2.2 ii)).

The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*. The recommended amendment reflects Council’s current vision and intent for the Western Fairgrounds as expressed in *The London Plan*. The recommended hotel use would provide short-term accommodation in support of, and complementing, the existing and planned regional-serving recreational and entertainment land uses on the subject lands.

The recommended amendment to the Zoning By-law, and in particular the list of specific land uses to be recognized as additional permitted uses, represent a reasonable range of land uses expected for an entertainment, recreational and educational destination. Many of the recommended land uses such as amusement game establishments, amusement parks, auditoriums, fairgrounds, places of entertainment, racetrack operations, restaurants, and retail stores, could be interpreted as already permitted and occurring on the subject lands in association with the WFA. The addition of a full casino and hotel as additional permitted uses will complement and expand on the type and scale of entertainment and recreational uses that have developed on the Western Fairgrounds over time. Other recommended land uses such as artisan workshops, brewing on premises establishments, and craft breweries are already permitted in the nearby Business District Commercial (BDC) Zone variations located along Dundas Street, and along with urban agriculture, are in keeping with the historical support the Western Fairgrounds have provided to the agricultural community.

A Planning Impact Analysis (“PIA”) was undertaken by Staff as is required to evaluate applications for an OPA and/or ZBA, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. The PIA criteria set out in *1989 Official Plan* consider such matters as conformity and compliance with City’s policy and regulatory documents, compatibility with surrounding land uses, the appropriateness of the size and shape of the property to accommodate the proposed lands uses, traffic to be generated, and the impacts on the transportation network, including transit. The PIA criteria are addressed throughout this report, in particular throughout Section 4.0 – Key Issue and Consideration.

The London Plan

The subject lands are located within the “Institutional” Place Type, except for Queen’s Park which is located within the “Green Space” Place Type to reflect its historical use as one of London’s first public parks. The Institutional Place Type is intended for larger land areas that serve an institutional purpose (Policy_1078). The

Western Fairground represents a unique institutional use within the City, and Specific Policies for the Institutional Place Type promote the site's agricultural roots similar to the *1989 Official Plan*, but contemplate a broader recreational and entertainment focus that also explicitly permits hotels (Policy_1102).

The recommended amendment to the Zoning By-law, and in particular the list of specific land uses to be recognized as additional permitted uses conforms to the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan* and will support the WFA's strategic plan to modernize and rebrand Western Fairgrounds as a regional entertainment and recreation district.

4.1.2 Intensity

1989 Official Plan

Lands designated Regional Facility in the *1989 Official Plan* are, by reason of their size, normally major activity or employment centres in the City (Section 6.2.1 i)). The intensity of development is intended to be greater than other areas within the City that provide for local community facilities. The Regional Facility policies in the *1989 Official Plan* do not contemplate the use of Bonus Zoning as a tool to allow increases in the height of development beyond what is otherwise permitted by the Zoning By-Law. The scale of development on lands designated Regional Facility should be compatible with the surrounding context. Appropriate heights, site coverage and setback restrictions should provide for that compatibility (Section 6.2.5).

The London Plan

Within the Institutional Place Type in *The London Plan*, the intensity of development is managed through the use of building heights. As a base condition a minimum building height of 2-storeys or 8.0 metres and a maximum building height of 12-storeys is contemplated. Bonus Zoning would allow for an increase in building height up to 15-storeys (Policy 1086_1.).

The current zoning that applies to the subject lands permits a maximum building height of 40 metres. Staff are recommending an increase in building height for hotels up to a maximum of 50 metres without the use of Bonus Zoning.

The Regional Facility policies in the *1989 Official Plan* do not provide a policy basis for Bonus Zoning at this time. In addition, the challenge of implementing the requested Bonus Zone is that there is no definitive development concept for which to secure the facilities, services, or matters that would be provided in return for the requested increase in height. The recommended increase in building height for hotels without the use of Bonus Zoning conforms to the *1989 Official Plan*. The recommended increase in building height up to a maximum of 50 metres for hotels is equivalent to, and conforms to, the 12-storey building height maximum contemplated in *The London Plan* as a base condition without Bonus Zoning. Given the unique context that is the Western Fairgrounds, and that the requested increase in building height represents at most, a change of 10 metres (approximately 2 to 3-storeys depending on floor heights) from the current zoning, Staff have no concerns with the height increase for hotels.

The intensity of development on the subject lands is also recommended to be managed through the use of gross floor area maximums for certain permitted lands uses. It is recommended that through the special provision, the size of artisan workshops, casinos, craft breweries and hotels be regulated. Specifically, a gross floor maximum of 20,000 sq. m (215,278 sq. ft.) is recommended for casinos, and a maximum gross floor area of 14,000 sq. m (150,695 sq. ft.) is recommended for hotels. These gross floor area maximums generally relate to the expected space requirements associated with

Gateway's licence for 1,200 slot machines and 50 table games from the Province and a hotel appropriately sized to support the casino function. Artisan workshops and craft breweries will also be restricted on the subject lands to a maximum gross floor area of 500 sq. m (5,382 sq. ft.) per establishment consistent with the existing restrictions in the nearby BDC Zone variations.

An increase in the intensity of development on the subject lands is appropriate within the context of the City's transportation network. King Street, Ontario Street, Dundas Street and Florence Street that bound the subject lands are higher-order roads intended to accommodate high volumes of traffic. The City has approved a Bus Rapid Transit ("BRT") system and network. Future BRT stations are proposed on the east and west sides of Ontario Street near the Confederation Building to serve the easterly BRT route that would connect the Downtown to Fanshawe College (Figure 2). The exact location of the proposed BRT station will be refined through detail design. An increase in the intensity of development on the subject lands would provide ridership support for the BRT. A Transportation Impact Analysis ("TIA") will be required to be completed to the satisfaction of the City Engineer through the Site Plan Approval process, and the recommendations of the TIA regarding vehicular access or required upgrades to the transportation network will be required to be implemented and constructed by the owner/developer.

4.1.3 Form

The London Plan

The London Plan contains policies specific to the Institutional Place Type and to Western Fairgrounds that include consideration of form. Specific to the Western Fairgrounds, *The London Plan* encourages new development to be street-oriented and parking areas to be screened to create a comfortable and attractive pedestrian environment (Policy 1103_).

Staff are recommending a minimum yard depth requirement abutting a public street of 3.0 metres which will allow for new development to be positioned close to the street edge in support of street-orientated development in keeping with the general intent of the form based consideration for the Western Fairgrounds in *The London Plan*.

In addition to yard setbacks there are other form based considerations such as building orientation, building massing, step-backs, materials, architecture, parking, vehicular access, and landscaping to be considered through the Site Plan Approval process. In the absence of a definitive development concept it is difficult to fully explore those form based considerations at this time through the concurrent OPA and ZBA application. Instead, the recommendations of this report include a request to the Site Plan Approval authority to consider several design principles through the Site Plan Approval process. The design principles were developed in consultation with the City's Urban Designer and are intended to guide the form of development on the subject lands in the future. The design principles are summarized below.

With regard to building form and orientation, new buildings should be positioned as close to Queen's Park as practical and active building facades oriented towards Queen's Park to help to further define the edge of the park and contribute to a positive relationship between the park and buildings positioned along its edge. The positioning of buildings on the subject lands should not preclude the potential for street-oriented buildings abutting Florence Street, Rectory Street and King Street in order to provide for an active street edge in the future. Site circulation should include a broad walkway with a distinct surface treatment that connects Queen's Park and the park-facing building entrance, moving pedestrians through any intervening surface parking area.

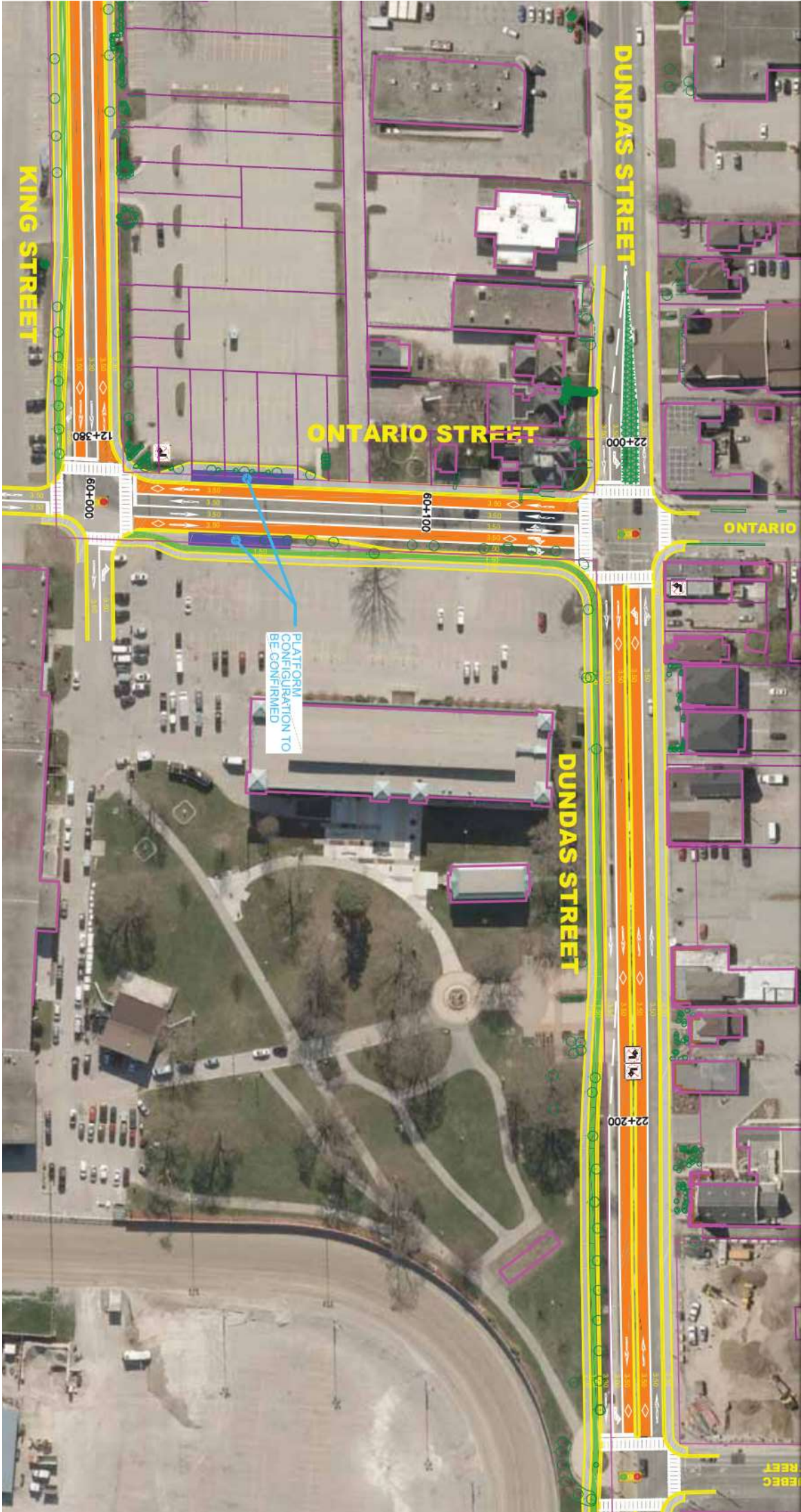


Figure 2: Rapid Transit Master Plan – Conceptual Design Plates – Ontario Street Conceptual Station Locations

With regard to building design and architectural treatment, principle building elevations and primary building entrances should include transparent glazing as a principal component providing openness between the interior building activity areas and the exterior. Quality, durable cladding materials should be used throughout all building elevations and cladding materials should fit with the overall building architecture and be a unifying design element. Opportunities for incorporating similar materials, colours or finishes from surrounding heritage resources should be explored. Tall buildings should have an architecturally-defined base, middle and top. The design of the base of tall buildings should contribute to a transparent, active and human-scale at ground level, and the design of the top of tall buildings should contribute positively to the skyline as focal point on the site and with OEV.

4.2 Land Use Compatibility

The proposed hotel component comprising part of the development envisioned by Gateway is considered a sensitive land use that has the potential to create new land use compatibility issues with existing industrial facilities in the surrounding area, including railway facilities. These potential land use compatibility issues have been considered by Staff.

Provincial Policy Statement, 2014

The *PPS* directs that major facilities, such as railway facilities, and sensitive land uses should be appropriately designed, buffered and/or separated from each other (Policy 1.2.6.1 and 1.6.9.1 b)). The *PPS* directs that planning for land uses in the vicinity of rail facilities should protect the long-term operation and economic role of rail facilities (Policy 1.6.9.1 a)).

The London Plan

The London Plan directs that development of sensitive land uses in proximity to the London International Airport, rail lines, higher-order streets and provincial highways as well as certain place types will have regard for potential impacts from noise, vibration and/or safety concerns (Policy 1766_). *The London Plan* directs that where new sensitive land uses may be exposed to noise, and/or vibration and negatively impacted, and/or where there are safety concerns, attenuation measures will be incorporated into the development (Policies 1770_, 1771_ and 1772_).

The Ministry of the Environment, Conservation and Parks ("MOECP"), formerly the Ministry of the Environment ("MOE"), released *D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Use* in 1995 in accordance with the *Environmental Protection Act*. These guidelines were intended to be applied in the land use planning process to prevent or minimize land use conflict due to the encroachment of sensitive land uses and/or industrial uses on one another. The *D-6 Guidelines* provide a classification system for industrial facilities based on their potential for emissions that could cause adverse impacts. For each classification of industrial facility, the *D-6 Guidelines* provide a potential area of influence and a recommended separation distance between each classification of industrial facility and sensitive land uses.

A Land Uses Compatibility Assessment prepared by RWDI Air Inc. (July 2018) was submitted in support of the concurrent OPA and ZBA application for the subject lands to address the *D-6 Guidelines*. The subject lands were found to be within the 70 metre and 300 metre potential areas of influence for zones that permit Class I and Class II industrial facilities respectively, but outside of the 1,000 metre potential area of influence for zones that permit Class III industrial facilities.

Lands zoned for Class I industrial facilities which have a potential influence area of 70 metres are primarily located within the area of Dundas Street north of the subject lands, or York Street west of the subject lands. Sensitive land uses (residential land uses) already surround those areas, such that any potential compatibility issues with sensitive land uses, would not be unique to the subject lands. Moreover, while the zoning in the area of Dundas Street and York Street has the potential to permit Class I industrial facilities, those areas are more commonly used for commercial or retail establishments which would not cause compatibility issues with sensitive land uses on the subject lands.

Lands zoned for Class II industrial facilities which have a potential influence area of 300 metres include lands located north of Dundas Street and east of Egerton Street that were formerly used for food manufacturing by McCormick's and Kellogg's. The location of the subject lands satisfies the recommended minimum separation distance of 70 metres from the former McCormick's/Kellogg's lands. There are also intervening sensitive land uses (residential land uses) between the subject lands and the former McCormick's/Kellogg's lands.

The lands zoned for Class II industrial facilities located south of Florence Street and east of Egerton Street, in the Brydges Street area, and the lands zoned for Class II industrial facilities located south of Florence Street and west of Rectory Street also satisfy the recommended minimum separation distance of 70 metres from the subject lands. In addition, wind directions that would carry adverse impacts from these lands to the subject lands are infrequent, with the predominant wind direction coming from the north-west.

The lands zoned for Class II industrial facilities located south Florence Street include the CN rail corridor and rail yard; and although these zoned lands satisfy the recommended minimum separation distance of 70 metres from the subject lands according to the *D-6 Guidelines*, due to the specific railway use, sensitive land uses on the subject lands could cause land use compatibility issues.

The Federation of Canadian Municipalities and the Railway Association of Canada developed *Guidelines for New Development in Proximity to Railway Operations* (May 2013) to assist municipalities and other stakeholders in establishing a consistent approach to assess new development in proximity to railway facilities. The subject lands are located within the 300 to 1,000 metres recommended minimum noise area of influence for rail corridors (principle main lines) and rail yards, but located beyond the 75 metre recommended minimum vibration area of influence set out in the guideline document. Therefore noise, and not vibration, from railway facilities may be a potential concern for future sensitive land uses on the subject lands.

To ensure land use compatibility is appropriately addressed consistent with the *PPS*, and *The London Plan*, a holding provision is recommended that will ensure a detailed Land Use Compatibility Assessment is carried out prior to the development of sensitive lands uses on the subject lands. The detailed assessment will provide direction on how the proposed sensitive land uses can be appropriately designed, buffered and/or separated from existing major facilities, namely the CN rail corridor and rail yard, to prevent or mitigate potential adverse effects.

4.3 Archaeological Resources

Prior to consolidation of the subject lands by the WFA for fairgrounds starting in the late 19th century, the subject lands were used for several, varied historic land uses. While those 19th century land uses are believed to have removed much, if not all of the

potential for Indigenous archaeological resources, there remains archeological potential related to the Euro-Canadian land uses that must be addressed prior to development. In particular, the westerly portion of the subject lands were used as a burial ground, including St. Paul's Anglican Cemetery starting in 1852. The internments and monuments were exhumed to Woodland Cemetery in the 1880s, and the westerly portion of the subject lands redeveloped for residential land uses by 1907. The policies in the *PPS*, the *1989 Official Plan* and *The London Plan* direct that significant archaeological resources be conserved.

Provincial Policy Statement, 2014

The *PPS* directs that development and site alteration shall not be permitted on lands having archaeological potential unless significant archaeological resources have been conserved (Policy 2.6.2). In the *PPS*, the term "conserved" means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act (Section 6 – Definitions).

1989 Official Plan

In conformity with the *PPS*, the *1989 Official Plan* directs Council to facilitate efforts to preserve and excavate archaeological resources (Section 13.4.1). The *1989 Official Plan* requires an archaeological assessment where development is proposed on a property that possesses archaeological potential or known archeological resources as determined through the archaeological potential model (Section 13.4.3)

The London Plan

The London Plan directs that the City will conserve archaeological resources (Policy 608_). *The London Plan* requires an archaeological assessment where development or site alteration is proposed on a property that demonstrates archaeological potential or known archeological resources as determined through the *Archaeological Management Plan* (Policy 616_). The archaeological assessment shall be undertaken to the applicable level of assessment as determined by a consultant archaeologist in compliance with provincial requirements and standards (Policy 617_).

In 2010, a Stage 1-2 Archaeological Assessment was prepared by Timmins Martelle Heritage Consultants Inc. ("TMHC") for the majority of the subject lands, followed by a Stage 2 Archaeological Assessment for the portion of the lands comprising Queen's Park. As part of the concurrent OPA and ZBA application for the subject lands, TMHC prepared a subsequent Stage 1 Archeological Assessment (July 2018), to update the previous 2010 Stage 1 report to satisfy current provincial standards and assess the archaeological potential for the entire subject lands in order to provide recommendations for any future archaeological work in advance of any development or site alteration. The Ministry of Tourism, Culture and Sport (MTCS) received this report as compliant with provincial standards.

Further archaeological assessment is required on the westerly portion of the subject lands (the current surface parking area) bounded by King Street and Dundas Street on the north, the current collection of buildings and Queen's Park to the east, Florence Street to the south, and Rectory Street to the west to address the archeological potential related to burials from the former St. Paul's Anglican Cemetery and other potential archaeological deposits associated with the late 19th-early 20th century redevelopment. The later use of the westerly portion of the subject lands for surface parking, represent surface disturbances, and as such, there is still the potential for deeply buried archaeological resources.

For the easterly portion of the subject lands bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south and the current collection of buildings to the west, where there has been intensive and extensive disturbance in association with the current collection of buildings no further archaeological assessment is recommended. Archaeological monitoring is recommended for any development or site alteration within Queen's Park, consistent with the Stage 2 Archaeological Assessment (2010). Given the potential risk associated with the potential discovery of human remains associated with the former St. Paul's Anglican Cemetery, on-going archaeological construction monitoring by a licensed consultant archaeologist is recommended for the entirety of the easterly portion of the subject lands.

Consistent with the PPS and in conformity with the *1989 Official Plan* and *The London Plan*, to ensure significant archaeological resources have been conserved, an h-18 holding provision is recommended to be applied to the westerly portion of the subject lands requiring further archeological work prior to demolition, construction, grading or other soil disturbance taking place. A new (h-*) holding provision is recommended to be applied to the easterly portion of the subject lands that would require the preparation an archeological monitoring mitigation strategy prepared by a consultant archaeologist licensed by the Ministry of Tourism, Culture and Sport . The expectation is that the recommendations contained in the archaeological monitoring mitigation strategy would be executed concurrently with any demolition or construction activities. The recommended (h-*) holding provision would not prohibit demolition or construction where intensive and extensive soil disturbances have occurred and are documented. To ensure archaeological monitoring is undertaken during demolition or construction activities, it is a recommendation of this report that the Site Plan Approval Authority be requested to consider including in the Development Agreement, language that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy that had been prepared as part of satisfying the (h-*) holding provision.

4.4 Cultural Heritage Resources

The subject lands are located near two heritage properties designated under Part IV of the *Ontario Heritage Act* at 869-871 Dundas Street and 864-872 Dundas Street. The subject lands are also listed on the City's Register (*Inventory of Heritage Resources*), adopted pursuant to Section 27 of the *Ontario Heritage Act*, as a Priority 1 property. The Arts Building, the Confederation Building and the former St. Paul's Anglican Cemetery are specifically identified by the *Inventory of Heritage Resources*. The policies in the *PPS*, the *1989 Official Plan* and *The London Plan* direct that significant cultural heritage resources be conserved.

Provincial Policy Statement, 2014

The *PPS* supports the wise use and management of cultural heritage resources, and directs that "*significant built heritage resources and significant cultural heritage landscapes shall be conserved*" (Policy 2.6.1). In the *PPS*, the term "conserved" means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. The term "significant" means to have cultural heritage value or interest contributing to the understanding of the history of a place, event, or people. The term "built heritage resource" means a building, structure, monument, installation or any manufactured remnant (Section 6.0 – Definitions).

1989 Official Plan

The *1989 Official Plan* directs that no alternations, removal or demolition of heritage buildings will be undertaken on protected heritage properties designated under the *Ontario Heritage Act* that would adversely affect the reasons for designation except in accordance with the *Ontario Heritage Act* (Section 13.2.3). The *1989 Official Plan* allows development adjacent to heritage designated properties only where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be retained (Section 13.2.3.1).

The London Plan

The London Plan directs that development adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes of those cultural heritage resources, and a heritage impact assessment will be required for new development to assess potential impacts of new development and explore alternative development approaches and mitigating measures (Policy 565_). The relocation of cultural heritage resources is discouraged by *The London Plan*, and there is preference expressed for on-site retention of cultural heritage resources (Policy 566_). In the event that removal of a cultural heritage resource is found necessary, archival documentation may be required (Policy 567_). *The London Plan* allows development adjacent to heritage designated properties and properties listed on the Register only where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved (Policy 586_).

As a listed property, the subject lands have *potential* cultural heritage value or interest. A Cultural Heritage Evaluation Report (“CHER”) (August 2018) was prepared by Common Bond Collective (“CBC”) in support of the concurrent OPA and ZBA application to confirm which, if any, built heritage resources located on the subject lands have cultural heritage value or interest.

The CHER evaluated the subject lands using O. Reg. 9/06., which is the provincially mandated criteria for determining cultural heritage value or interest. Individual properties that meet one or more of the criteria in O. Reg. 9/06 warrant designation under Part IV of the *Ontario Heritage Act*. The CHER concluded that the subject lands meet the criteria for designation, and a proposed Statement of Significance was prepared to articulate the attributes of the built heritage resources.

The City’s Heritage Planner in a memo dated August 23, 2018 generally agreed with the conclusion of the CHER, that the Arts Building, the Confederation Building, the remnant of the Poultry Building (currently an electrical substation), Engine 86 and Queen’s Park have significant cultural heritage value or interest; and conversely that the Canada Building, West Annex, Progress Building, East Annex, Slots, and Carousel Room do not. Further cultural heritage evaluation is required before the City’s Heritage Planner can support the Grandstand metal structure in its current physical form as having cultural heritage value or interest. Due to the differing perspectives regarding the Grandstand, and some imprecisions found within the proposed Statement of Significance, it is a recommendation of this report that Staff be directed to review the proposed Statement of Significance contained in the CHER and consult with the London Advisory Committee on Heritage (“LACH”) for consideration of the designation of the subject lands under Part IV of the *Ontario Heritage Act*.

A Heritage Impact Assessment (“HIA”), also prepared by CBC (August 2018), accompanied the CHER to assess the potential adverse impacts the preliminary development concept would have on significant built heritage resources and provide recommendations on how to avoid or mitigate those impacts. The preliminary development concept if pursued by Gateway would include the phased demolition of some of the existing buildings/structures on site, and the construction of new buildings.

The HIA focused on the potential adverse impacts related to the complete demolition of the Progress Building/West Annex/Canada Building through Phase 1 of redevelopment, and the complete demolition of the East Annex/Slots/Carousel Room and partial or complete demolition of the Grandstand metal structure through Phase 2 of redevelopment. The severity of the potential adverse impacts are expected to range from low to high. With the exception of the complete demolition of the Grandstand metal structure, the HIA concludes that reasonable mitigation measures are to address the adverse impacts of demolition. Reasonable mitigation measures included photographic documentation and/or commemoration. Given the severity of the adverse impact resulting from complete demolition of the Grandstand metal structure, the HIA recommended that the partial demolition of the Grandstand metal structure would be preferred over the complete demolition. The recommended mitigation measures associated with the complete demolition of the Grandstand metal structure included detailed documentation and commemoration, with detailed documentation to include photographic documentation, review and description the component parts by a qualified individual experienced with historic steel structures and measured drawing. It being noted that the City’s Heritage Planner, believes further cultural heritage evaluation of the Grandstand metal structure is needed before supporting the inclusion of the metal structure as a heritage attribute of the subject lands.

Given that there is uncertainty as to the final form that future development may take on the subject lands, the HIA concluded that it was not possible, or practical, to fully assess the potential impacts of new construction on significant built heritage resources at this time. Once a definitive development concept is submitted to the City, an addendum HIA will be required through the Site Plan Approval process to ensure significant cultural heritage resources are conserved and that the adverse impacts of demolition *and* new construction are avoided or appropriately mitigated, consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan*.

The preliminary development concept by Gateway for the subject lands, would retain the Arts Building, the Confederation Building, and the remnant of the Poultry Building (currently an electrical substation), Engine 86 and Queen’s Park. With the City’s Heritage Planner and CBC in agreement that the above are significant built heritage resources, a development concept that retains and conserves those resources has the potential to be consistent with, and conform to, the policies in the *PPS*, the *1989 Official Plan*, and *The London Plan* regarding significant cultural heritage resources.

4.5 Parking Supply

A special provision was requested to allow for a single parking rate requirement for all permitted use on the subject lands, and to allow the required parking spaces to be located on separate lots in proximity to the subject lands. Staff have reviewed the appropriateness of the proposed special provision as it relates to parking.

Provincial Policy Statement, 2014

The *PPS* promotes appropriate development standards to facilitate compact development in settlement areas (Policy 1.1.3.4). The *PPS* also promotes a mix of uses

that are transit-supportive, where transit is planned, to increase the use of active transportation and transit before other modes of travel (Policy 1.1.3.2). The *PPS* promotes a mix of uses that would minimize the length and number of vehicular trips and support the current and future use of transit and active transportation (Policy 1.6.7.4).

1989 Official Plan

The *1989 Official Plan* supports the provision of parking that is adequate for the land uses which are to be supported, and at a standard that promotes compatibility with adjacent land uses (Section 18.2.12).

The London Plan

The London Plan directs that within the Primary Transit Area the supply of public parking will be managed to support the transit and active mobility networks (Policy 92_9.). *The London Plan* directs that the Zoning By-law establish parking standards that do not require excessive amounts of parking, and recognizes that in areas well served by transit, reduced parking rates may be appropriate (Policy 271_).

The minimum parking rate requirements found in the Zoning By-law are typically calculated based on the gross floor area of individual uses on a site. However, the Western Fairgrounds are unique in that the lands, buildings and structures are used for multiple uses and functions that can change periodically depending on programming, and the parking supply is shared amongst the multiple different uses and functions. In recognition of this unique situation, a single parking rate for all permitted uses was requested to simplify the application of a minimum parking requirement.

A minimum parking rate of 1 space per 22 sq. m of gross floor area was requested and is being recommended for all permitted land uses. The recommended minimum parking rate requirement is consistent with the existing rate at which parking is provided across the whole of the WFA lands. There are currently 3,420 surface parking spaces provided across the whole of the WFA lands and a total gross floor area of 76,665 sq. m, which is equivalent to 1 space per 22.4 sq. m of gross floor area.

It is expected that among the recommended land uses to be permitted on the subject lands, a casino would predominately drive the parking demand on the site. The recommended minimum parking rate requirement of 1 space per 22 sq. m of gross floor area for all permitted uses is similar in magnitude to the minimum parking rate requirement that other municipalities apply to casinos. In particular casinos, otherwise known as gaming establishments in the City of Toronto, require a minimum parking rate requirement of 1 space per 25 sq. m of gross floor area (ZBL 569-2013). Relative to other land uses in the City of London's Zoning By-law, the recommended minimum parking rate requirement for all permitted uses on the subject lands, is comparable in magnitude to the minimum parking rate requirements for a range of land uses that also involve the assembly of a larger number of people, such as amusement game establishments, assembly halls, commercial recreation establishments and large shopping centres. The minimum parking rate requirements for those types of land uses range between 1 space per 20 sq. m and 1 space per 35 sq. m of gross floor area.

In support of the planned BRT, the London Transit Commission ("LTC") has commented that surface parking should be limited on the subject lands, and a high minimum parking rate requirement along the rapid transit corridor does not support the Rapid Transit Master Plan. The LTC suggested a less onerous minimum parking rate requirement for all permitted land uses that would be more in line with 1 space per 45 sq. m. The City's Transportation Planning and Design Division was more conservative in their opinion

regarding the appropriate minimum parking rate requirement, and has confirmed the recommended minimum parking rate requirement of 1 space per 22 sq. m to be acceptable.

The requested special provision to allow the required parking spaces to be located on lots separate from the subject lands, recognizes and would continue to allow for the sharing and overlap the parking supply between the subject lands and the accessory surface parking area located north of King Street, regardless of the lot on which the land uses requiring parking are located.

The recommended minimum parking rate requirement for all permitted uses is expected to meet the demand for the recommended range of permitted lands uses and would allow for the use of the subject lands to be maximized consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that encourage the use of appropriate standards and the efficient use of land. With regards to the efficient use of land, the ability to rely on an existing accessory surface parking lot north of King Street as a location for the required parking, rather than require additional parking to be provided on the subject lands for new development, would also provide for the efficient use of land. The subject lands are well-positioned within the City's current and planned transit network to support transit with a range and mix of land uses that are expected to draw from a larger, possibly regional pool of potential riders. The *PPS* and *The London Plan* are supportive of a mix of land uses which are transit supportive.

More information and detail is available in Appendix C and D of this report.

5.0 Conclusion

The recommended amendments are consistent with the *PPS* and will provide for a broad range and mix of entertainment, recreational, and secondary commercial land uses that will allow for the intensification, redevelopment, and revitalization of the subject lands. The recommended range and mix of land uses will also provide for more sustainable, year-round tourism on the subject lands which has the potential to improve the long-term economic prosperity of the community and support current and planned transit proximate to the subject lands consistent with the *PPS*.

The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*.

The recommended amendment to the Zoning By-law, and the list of specific land uses to be recognized as additional permitted uses is generally consistent with the permitted use of Western Fairgrounds as described in the *1989 Official Plan* and conforms to the specific policies for the Western Fairgrounds in *The London Plan*. The development proposal by Gateway to add a full casino and hotel complex to the subject lands will complement and expand on the type and scale of entertainment and recreational uses that have developed on the Western Fairgrounds over time.

The recommended regulations providing a single parking rate for all permitted uses and the ability to locate required parking on adjacent lots will result in a reasonable and appropriate amount of parking, consistent with the *PPS* that promotes appropriate development standards and the efficient use of land. The recommended increase in building height up to a maximum of 50 metres for hotels without the use of Bonus Zoning conforms to the 12-storey building height maximum contemplated in *The London Plan*. The recommended minimum yard depth requirement abutting a public street of

3.0 metres will support street-orientation development consistent with the form based consideration for the Western Fairgrounds found in *The London Plan*.

Recognizing the significant cultural heritage value of the subject lands, consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant cultural heritage resources be conserved, it is a recommendation of this report that Staff be directed to consider designation of the subject lands under Part IV of the *Ontario Heritage Act*.

Consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant archaeological resources be conserved, a holding provisions will be used to ensure that potential archaeological matters are addressed. This includes the use of a new holding provision for an archaeological monitoring mitigation strategy. It is also a recommendation of this report, that the Site Plan Approval Authority be requested to consider adding a clause to the Development Agreement that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to ensure the conservation of significant cultural heritage resources.

A holding provision will also be used to ensure any land uses compatibility issues with major facilities, namely railway facilities, are addressed consistent with the *PPS*, and conforming to *The London Plan* and other relevant guideline documents.

Prepared by:	Melissa Campbell, MCIP, RPP Current Planning
Submitted by:	Michael Tomazincic , MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 17, 2018
MC/mc

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. ~~C.P.-1284~~

A by-law to amend the Official Plan for the City of London, 1989 relating to 900 King Street and 925 Dundas Street.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 2, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 2, 2018
Second Reading – October 2, 2018
Third Reading – October 2, 2018

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Section 6.2.2 ii) of the Official Plan for the City of London to adopt the specific range of permitted uses for the Western Fairgrounds as identified in *The London Plan*.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 900 King Street and 925 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

The amendment would add to the specific range of permitted uses for the Western Fairgrounds to accurately reflect Council's current vision and intent for the subject lands as expressed in *The London Plan*. The amendment is consistent with the specific range of permitted uses contemplated for the Western Fairgrounds in *The London Plan*.

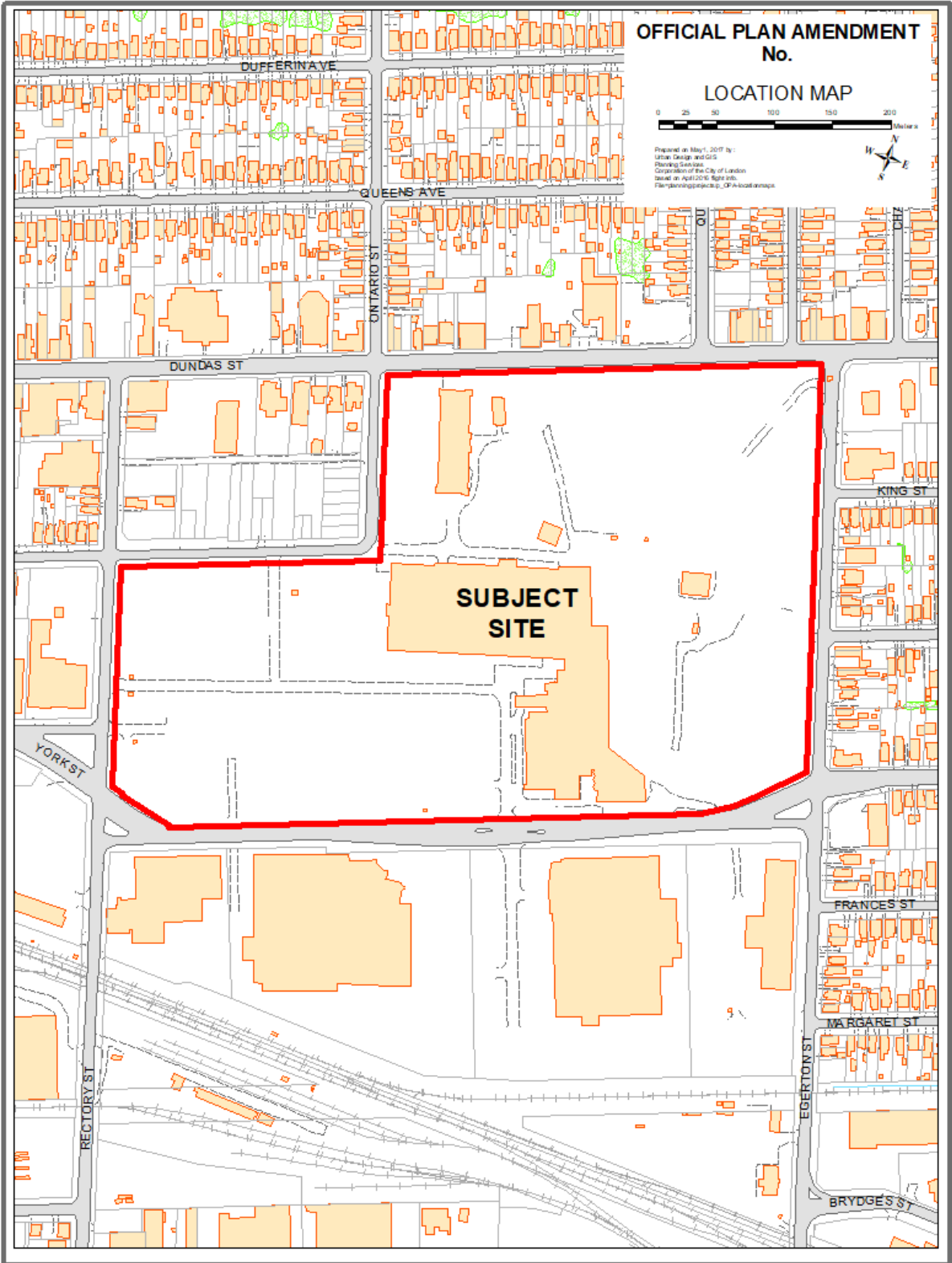
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 6.2.2 ii) Permitted Uses for the Western Fairgrounds of the Official Plan for the City of London is amended by adding the following new paragraph after the existing paragraph:

900 King Street and 925 Dundas Street

()_ On the lands bounded by King Street and Dundas Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street and Ontario Street to the west, in addition to the range of uses permitted in the Regional Facility designation specific to the Western Fairgrounds, hotels will also be permitted.



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 900 King Street and 925 Dundas Street and to amend Section 2 (Definitions).

WHEREAS the Western Fair Association and The Corporation of the City of London have applied to rezone an area of land located at 900 King Street and 925 Dundas Street, as shown on the map attached to this by-law, and add new definitions in By-law No. Z.-1 as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Section 2 (Definitions) is amended by adding the following new definition for "CASINO":

"CASINO" means a facility for the purposes of gaming that is authorized by the Province of Ontario.

- 2) Section 2 (Definitions) is amended by adding the following new definition for "FAIRGROUND":

"FAIRGROUND" means the use of lands, buildings or structures for the purposes of holding fairs and events which include, but are not limited to, activities that are agricultural, entertainment, commercial and trade, sports, recreational, food and dining, or corporate in nature.

- 3) Section 2 (Definitions) is amended by adding the following new definition for "RACE TRACK OPERATION":

"RACE TRACK OPERATION" means a facility for the purposes of racing horses for entertainment, gaming or gambling that is authorized by the Province of Ontario.

- 4) Section 2 (Definitions) is amended by adding the following new definition for "URBAN AGRICULTURE":

"URBAN AGRICULTURE" means the use of lands, buildings or structures for the purposes of growing, sharing, and distributing food or beverage and may include the processing of food or beverage by the use of hand tools or small-scale, light mechanical equipment. It can involve a range of different activities operating either together or individually, including the cultivation of plants, together with accessory uses including retail sales, composting plants grown onsite, outdoor storage, and buildings and structures ancillary to the operation of the site and for the extension of the growing season, but does not include the growing, processing, distribution or retail sales of cannabis.

- 5) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 900 King Street and 925 Dundas Street, as shown on the attached map comprising part of Key Map No. A108, from a Regional Facility Special Provision (RF(2)) Zone to a Holding Regional Facility Special Provision (h-18•h-205•RF(*)) Zone and a Holding Regional Facility Special Provision (h-•h-205•RF(*)) Zone.

6) Section Number 3.8 2) of the Holding “h” Zone is amended by adding the following Holding Provision:

-) h-*) Purpose: To ensure archaeological matters are addressed, the owner/developer’s consultant archaeologist licenced by the Ministry of Tourism, Cultural and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) shall prepare an archeological monitoring mitigation strategy to the satisfaction of the City of London, prior to the removal of the h-* symbol.

7) Section Number 31.4 a) of the Regional Facility (RF) Zone is amended by adding the following Special Provision:

-) RF(*) 900 King Street and 925 Dundas Street
 - a) Additional Permitted Uses
 - i) Amusement Game Establishments
 - ii) Amusement Parks
 - iii) Artisan Workshops
 - iv) Auditoriums
 - v) Brewing on Premises Establishments
 - vi) Casinos
 - vii) Craft Breweries
 - viii) Fairgrounds
 - ix) Hotels
 - x) Places of Entertainment
 - xi) Racetrack Operations
 - xii) Restaurants
 - xiii) Retail Stores
 - xiv) Urban Agriculture
 - b) Regulations
 - i) Artisan Workshop Gross Floor Area per Establishment (maximum) 500 square metres (5,382 square feet)
 - ii) Craft Brewery Gross Floor Area per Establishment (maximum) 500 square metres (5,382 square feet)
 - iii) Casino Gross Floor Area (maximum) 20,000 square metres (215,279 square feet)
 - iv) Hotel Gross Floor Area (maximum) 14,000 square metres (150,695 square feet)
 - v) Yard Depths Abutting a Public Road (minimum) 3.0 metres (10.0 feet)
 - vi) Height for Hotels (maximum) 50 metres (164 feet)
 - vii) Notwithstanding Section 4.19 3) – Location of Parking Areas, required parking may be permitted on adjacent

lot(s) zoned RF(2) and RF(*) bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street to the west.

- viii) Notwithstanding Section 4.19 4) c) – Yards Where Parking Areas Permitted, parking area setbacks to required road allowances may be as existing.
- ix) Notwithstanding Section 4.19 10) b) – Parking Standards, a minimum parking requirement of 1 parking space per 22 square metres of Gross Floor Area is required for all permitted uses.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

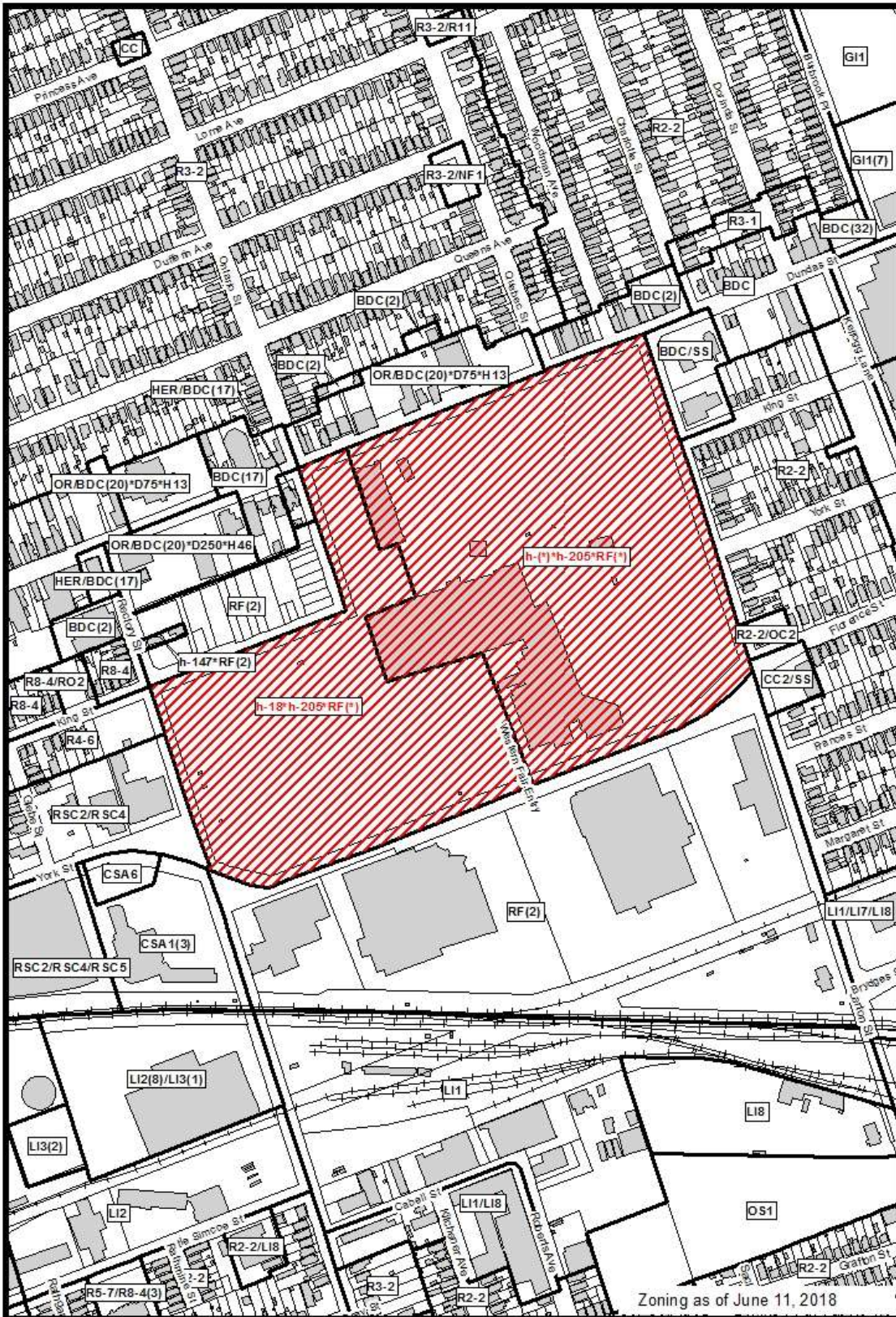
PASSED in Open Council on October 2, 2018.

Matt Brown
Mayor


Catharine Saunders
City Clerk

First Reading – October 2, 2018
Second Reading – October 2, 2018
Third Reading – October 2, 2018

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: OZ-8934
Planner: MC
Date Prepared: 2018/08/30
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters



Appendix C – Public Engagement

Community Engagement

Public liaison: On August 8, 2018, Notice of Application was sent to 203 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018. A “Planning Application” sign was also posted on the site.

3 replies were received

Nature of Liaison: The propose and intent of the requested amendments is to allow existing and new uses on the subject lands including casinos, racetrack operations, fairgrounds, hotels and other commercial, recreational or entrainment uses.

The notice advised of a possible amendment to the *1989 Official Plan* to adopt the permitted uses for the Western Fairgrounds as identified in *The London Plan*. The notice also advised of a possible amendment to *Zoning By-law Z.-1* to add a definition for casinos, racetrack operations, fairgrounds and urban agriculture and change the zoning from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(*)•B-*) Zone. The notice advised of a possible special provision to replace the current additional permitted uses with casinos; racetrack operations; fairgrounds; hotels; restaurants; retail stores; boutiques; amusement game establishments; amusement parks; auditoriums; ancillary office uses; urban agriculture; brewing on premises establishments and craft breweries. The notice also advised of a possible special provision to recognize and permit a single parking rate requirement for all permitted uses; that required parking may be located on adjacent lot(s); and other site conditions as may be necessary. The notice advised of a possible Bonus (B-*) Zone for an increased height maximum up to 50 metres.

The WFA and the Old East Village Business Improvement Area (“OEV BIA”) held a Community Information Meeting on August 28, 2018 to provide the community with an opportunity to review and provide comment on the concurrent OPA and ZBA application. Attendees to the Community Information Meeting were asked to register and fill-out comment cards. 31 people were recorded having registered, and 14 comment cards were returned. The OEV BIA provided a summary and thematic analysis of the comments cards (see attached correspondence).

Responses: A summary of the various comments received include the following:

Support for: the proposed range of additional permitted uses, and 15-storey height maximum.

Concern for: community input on the final form of development and additional community consultation.

Concern for: the proposed location of a casino within the City, with a preference that the casino to be located in the Downtown Area;

Concern for: the impact of a casino on the surrounding neighbourhood including a potential increase in vehicular traffic and on-street parking, safety and vandalism;

Concern for: surrounding businesses, that the casino would not result in expected economic benefits;

Concern for: aesthetic improvements to the wall surrounding the racetrack operation; and

Concern for: the periodic use of the WFA lands located north of King Street, (not subject to this application) for recreational vehicle parking/camping.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Mary Bray 228 Central Avenue London, ON N6A 1M8	Guy Parent 544 Egerton Street London, ON N5W 3Z8
Peter Stavros 116 Chepstow Close London, ON N6G 3S2	

Comments from Western Fair District Zoning Amendment Community Consultation
August 30, 2018

Summary and Thematic Analysis provided by the Old East Village BIA
Submitted September 7, 2018

Promotion of Event and Recruitment of Attendees:

Business and property owners in the Old East Village Community Improvement Plan (CIP) received invitations to the community consultation event. Invitations by the BIA were conferred through an email, telephone, and social media campaign for the 15 days preceding the event. The telephone campaign reached out to 114 business owners.

Information and invitations for the event was circulated to the Old East Village residents through telephone, social media, and individual networks of the Old East Village Community Association and board members of the Old East Village Business Improvement Area (BIA). The telephone campaign reached out to 54 residents. The City of London also mailed out notices to properties within 120 meters of the Western Fair rezoning site. Residents, property owners, and interested parties were requested to call the BIA offices and RSVP for the event.

Attendees to the event were asked to register and fill out and return comment cards. Of those who attended 31 people registered and 14 comment cards were submitted.

Attendance breakdown:

Attendees were asked to check all that apply.

2 – OEV Commercial Property Owners

5 – Business Owners

15 – OEV Residents

7 – Interested Party

3 – Unidentified

Thematic Analysis:

Feedback received from comment cards and letters are summarized in this section. Attendees of the community consultation were eager to share their thoughts on the proposed rezoning. Comments from the cards generally showed reserved optimism for the rezoning paired with interest in community involvement in the future. Five themes were observed and broken down in more detail.

The first of these relates to future community consultation once the site plan process begins. Attendees identified that they would like to have a say in the future planning for this site. They felt that a development of this scale created a great opportunity for the neighbourhood to be included in the conversation. Many commenters suggested that community input was vital.

The next theme identified was regarding the future uses and design of the Western Fair District. Some commenters felt that a use that only targets an adult audience did not match well with their views on what a fairground should be. Other commenters would like to see any uses or design of the site utilize an outward facing impact and contribute to the ongoing revitalization of the Old East Village. Commenters would also like a fuller picture of what future uses and designs are proposed for the site.

The third theme encompasses the current facilities. There has been previous investment into the site that commenters felt needed protecting. This includes the Market at the Western Fair along with Queens Park. Specifically the new splash pad was mentioned along with the historical train. The Old East Village BIA would like to thank you for receiving the above thematic analysis based upon comments, conversations, and letters during the community consultation. The BIA takes an active role in the participation process for new neighbourhood development. We are pleased to provide this feedback and look forward to working with all parties as this project progresses.

Comment Cards

The comments in this report are taken word for word from the received comment cards and letters. They have been categorized according to theme.

Positive General Comments:

- I can see how the proposed zoning would be good for the site
- All the intents of this proposal seem very reasonable to me.
- I specifically like the 15 storey limit on height
- No issues with proposed amendments
- I'm glad to see community consultation at this point in the discussion
- The ideas are very interesting
- I favour the re-zoning so that the real work can begin
- No problem with the rezoning
- I am confident that the Western Fair will retain connectivity to the existing neighbourhood as their track record with the Market and Queens Park demonstrates.

Comments regarding future community consultation:

- Would like to see plans and have a say in design.
- Need to have a least one preferably many public consultation meetings with Gateway once a deal is reached with WFD, before permissions are granted for any developments
- I would like the formal opportunity to discuss [ongoing revitalization] so that the casino development is not completely inward looking
- I would suggest that the zoning changes be subject to the development meeting requirement of being part of the community in a meaningful way.
- Many residents will want to weigh in on the specifics of any proposed development so a public site plan holding provision is essential.
- I believe much more community consultation should be allowed if the re-zoning is approved
- The community will have questions about safety and design features of potential hotels or casinos on this property
- I hope that as progress moves forward the neighbourhood should be included in a welcoming environment blending the entire area together
- It is hoped that there will be opportunities for in-depth consultation with the BIS, OEVCA, and the public at large before arrangements are carved in stone
- When the process of site planning for the uses described in the rezoning it is critical that the community is involved in the process in a meaningful and welcoming matter.
- This is a good first step however the community needs to remain involved as this process continues.
- If WFD and the City of London successfully reach a deal with Gateway on these lands, the next step would be to ensure there is a public site plan process in order for the neighbours of this proposed development to provide comment on design and review connectivity to the existing business and residential community.

Comments regarding future use and design:

- I have concerns about allowing a third party to build and control a large portion of Western Fair lands.
- I feel a fairgrounds should be focus on agricultural, exhibition and family orientated activities
- To have a major adult only use would take away from the possibly uses of the fairgrounds.

- Would like to see a walkway connecting the planned casino there (Integration of the area to the OEV)
- I would want to see a development that physically and operationally is part of the ongoing revitalization of the community and can be part of the ongoing revitalization of Old East Village
- It is critical that any expanded casino interacts with the neighbourhood and is open and connected rather than closed and inward facing.
- It is hard to envision how the fall Western Fair will function with the new land uses
- If there is a hotel underground parking or interior/integrated parking should be considered as part of bonus-ing.
- I would like to see the usage definitions finished and outlined prior to the zoning amendment being presented to council
- The new uses proposed by WFD could integrate nicely into the existing business landscape and have the potential to build on what is already here.

Comments regarding current facilities:

- Please don't touch market, pool-water area, train, green space
- The purpose and function of the WFD market must be protected
- The green and recreational space at Queens Park must be enhanced and not negatively impacted by the proposed hotel.
- I believe that Queens Park and the Confederation building as home of the market be safeguarded
- More information on impacts to current facilities and events such as the Market, Fall Western Fair, and Queens Park would ease concerns I've heard from my neighbours.

Miscellaneous:

- I would be in favor of a casino in a different location

From: Guy Parent
Sent: Tuesday, August 21, 2018 3:06 PM
To: info@oldeastvillage.com
Cc: Campbell, Melissa <mecampbell@london.ca>
Subject: Re: WFD Proposed Zoning Amendment Meeting

Good Afternoon Jennifer and Melissa.

I recently purchased the building at 544 Egerton St. (corner of King, formerly Tribute Pharmaceuticals).

This Western Fair project, as with any area improvement project is of great interest to us.

Notwithstanding what Gateway will promise the more importantly is the palpable tide turning from EOA to Old East Village and on a trajectory toward the likes of a Wortley Village.

Jennifer, I'd like to commend you on your efforts. Your dedication to this community is not only appreciated but should be recognized by the City.

I cannot be present for the meeting however would like to share my view on the Western Fair Development proposal.

A Casino is designed to eliminate all the area's competition by offering patrons every reason to remain contained inside their building and spend all they have. That's simply good business. The impact to Old South however will be as merciless with few benefits.

As much as I forecast personal benefit derived from their project, I predict a Trojan Horse will be created in order to sell the community. The closer a business is situated to a Casino's ground zero, the greater a vortex is felt for existing restaurants, coffee shops, bakeries, specialty services, entertainment, bars, hotels etc. There might be a brief moment of increased housing prices until reality sets in that the only benefit will be increased vehicle traffic and street parking problems.

An OLG funded splash pad here and a new fire truck there are meager benefits thrown out to keep the masses brainwashed to believing there are community improvements but pale in comparison to what the Province reaps. (3 Billion annual revenue expected in 2021).

Of the many articles found "*Casino's impact on neighbourhood and community*", they all suggest a negative impact. For those poor business souls who expect more

foot traffic, more business and more revenue, they will be sorely disappointed if not devastated.

Although 700 jobs will be created from this revenue neutral industry, homes surrounding a Casino will at best remain value neutral but more likely valued less.

I conclude by saying that there is no mystery in the fact Gateway will be the primary beneficiary and unless a Community Christmas Wish List is agreed to then it would be obvious that they have no vested interest in the community.

Thoughts.....

1. reduced property taxes for surrounding homes and businesses borne by Gateway
2. erecting a Drug Overdose Prevention Site
3. build, maintain a public park area
4. design a more appealing raceway fence (looks like it hides a junk yard from the outside)

Thank you,
Guy

Agency/Departmental Comments



London Transit Commission
450 Highbury Avenue North
London, ON N5W 5L2
Telephone: 519-451-1340
Fax: 519-451-4411

August 28, 2018

Melissa Campbell
Planning Services
City of London

900 King St. & 925 Dundas - OZ-8937

London Transit has reviewed the above noted application to amend the Zoning By-law and would offer the following comments:

We would note that the site is adjacent to a high-frequency transit corridor and is adjacent to a proposed rapid transit station. In the current and future context for this area, surface parking should be limited, particularly adjacent to the corner of King St. and Ontario St.

A high minimum parking regulation along the rapid transit corridor does not support the Rapid Transit Master Plan or the London Plan.

The Rapid Transit Master Plan states in 7.3.1. that *"the corridors will have easy access to Downtown and Transit Villages via RT, and will be fundamentally walkable and transit-oriented. Areas closer to RT stations may be more appropriate for greater density and height to support transit usage for a larger number of residents and workers."*

The high transit priority of the surrounding area corresponds more appropriately with Parking Area 1. London Transit requests the application of a higher minimum parking regulation for the site that is more in line with the minimum of 1 space per 45 sq. metres set forth in Area 1.

Additionally, London Transit has concerns regarding the addition of parking adjacent to the corner of King and Ontario in the development concept. This area of the site is closest to the future RT station and parking should be discouraged here.

If you have any questions please or comments, please do not hesitate to contact the undersigned. Thank you for your consideration.

Yours truly,

Ben Goodge
Transit Planning Technician

MEMO

To: Melissa Campbell, Planner II
From: Kyle Gonyou, Heritage Planner
Date: August 23, 2018
Re: **OZ-8937 – 900 King Street – Cultural Heritage**

The subject property at 900 King Street (Western Fair) has layers of cultural heritage value that has been valued by Londoners for generations.

Current Cultural Heritage Status

The subject property at 900 King Street is listed on the Register (*Inventory of Heritage Resources*), adopted pursuant to Section 27 of the *Ontario Heritage Act*. The Arts Building, the Confederation Building, and the former St. Paul's Cemetery located at the property are specifically identified by the *Inventory of Heritage Resources*, however the property has not previously been the subject of a comprehensive evaluation of its potential cultural heritage value or interest.

Cultural Heritage Evaluation Report

A combined Cultural Heritage Evaluation Report (CHER) and Heritage Impact Assessment (HIA) was prepared for the Western Fair property by Common Bond Collective (August 2018). As the CHER notes, it "is comprised of background research and analysis to understand the potential heritage values and attributes of the site."

The CHER documented the history and evolution of the Western Fair property, and completed an evaluation of the property using the criteria of O. Reg. 9/06 – criteria for determining cultural heritage value or interest. The CHER found that the property has met the criteria for designation, warranting protection under Part IV of the *Ontario Heritage Act*. A Statement of Significance was prepared by the CHER to articulate the significant cultural heritage value of the property and its heritage attributes. Section 6 of the CHER, however, did not include any specific rationale or statement why a particular criteria of O. Reg. 9/06 was or was not met by the property.

The Heritage Planner generally agrees with the cultural heritage resources that have been identified by the CHER, namely: the Arts Building, the Confederation Building, the Poultry Building/Electrical Substation, Engine 86, and Queen's Park.

Conversely, the Heritage Planner generally agrees with the conclusions of the CHER that gaming/hospitality buildings (Carousel Room, slots) and Progress Complex (Progress Building, East Annex, West Annex, and Canada Building) are not of significant cultural heritage value or interest. These resources should be documented by photographs in advance of a demolition request.

Further cultural heritage evaluation of the grandstand is required before the Heritage Planner can support the designation of this resource under the *Ontario Heritage Act*. Additionally, the Anne Eadie Stage in Queen's Park and the entrance gates at Rectory Street were not included in the CHER and should be considered for their potential cultural heritage value or interest.

It is recommended that the Statement of Significance, found in Section 7 of the CHER/HIA, be referred to Civic Administration to allow for a comprehensive review of the evaluation, statement, and identification of heritage attributes for the property at 900 King Street, as well as facilitate consultation with the London Advisory Committee on Heritage (LACH).

Specific Comments on CHER

- In 1885, the City of London annexed the Town of London East (Section 2.1.2, page 4)
- A Wesleyan Methodist cemetery was located on the south side of Florence Street (Section 2.1.3, page 5)
- Dr. John Salter lived at 529 Princess Avenue, a property designated under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3104-15 for its historic associations with Dr. Salter and its architectural reasons
- The Dominion Public Building is conventionally cited as London's leading example of the Art Deco architectural style, rather than "modern classicism" (Section 2.2.3, page 12)
- The property at 864-872 Dundas Street/417 Ontario Street was designated under Part IV of the *Ontario Heritage Act* on May 30, 2016 by By-law No. L.S.P.-3453-187. The building was constructed in 1885 and circa 1907 (Section 4, page 19)
- No examples of George Durand's architectural work are extant at 900 King Street, whereas there are two examples of Watt & Blackwell's; however, only George Durand is identified as having significant historical associations with the property

Heritage Impact Assessment

To ensure that significant cultural heritage resources are conserved, in accordance with the policy direction of the *Provincial Policy Statement* (2014) and the *Official Plan* (1989, as amended) and *The London Plan* (2016), the assessment of potential impacts was completed in Section 8 of the combined Cultural Heritage Evaluation Report (CHER) and Heritage Impact Assessment (HIA). The HIA assessed the severity of impact to cultural heritage resources as well as provided recommendations to mitigate or avoid adverse impacts.

As there is some uncertainty regarding the precise redevelopment plans for the Western Fair property (see Section 8.5 of the HIA), an addendum to the HIA should be required as part of the Site Plan application to demonstrate that cultural heritage resources are conserved and that any potential adverse impacts of demolition and new construction are avoided or appropriately mitigated, consistent with the *Provincial Policy Statement* and conforming to the *Official Plan* and *The London Plan*.

Archaeology

In 2010, a Stage 1-2 Archaeological Assessment (Timmins Martelle Heritage Consultants, P083-009-2010) was completed for the subject property, but with an emphasis on Queen's Park. This was followed up by construction monitoring (Timmins Martelle Heritage Consultants, April 2010, P083-025-2010) due to the potential for deeply buried archaeological remains within the study area. No archaeological resources were identified, however further monitoring of ground disturbing activities is recommended.

As the former site of St. Paul's Cemetery, the property at 900 King Street has high archaeological potential, including the potential for the discovery of human remains. A Stage 1 Archaeological Assessment (Timmins Martelle Heritage Consultants, July 2018, P074-005-2018) confirmed the requirement for further archaeological work.

Further archaeological work is required for the westerly portion of the subject property bounded by King Street/Dundas Street to the north, Rectory Street to the west, Florence Street to the south, and the current buildings/Queen's Park to the east (current surface parking area). This is primarily related to the potential for the discovery of human remains related to the former St. Paul's Anglican Cemetery and potential deeply buried archaeological resources associated with the late nineteenth and early twentieth century redevelopment of the subject property. The later use of the westerly portion of the subject property for surfaced parking represents only surface disturbances, and there is still potential for deeply buried archaeological resources.

In addition to the protection of archaeological sites within the *Ontario Heritage Act*, cemeteries and burials are protected by the provision of the *Funerals, Burials and Cremation Services Act* (which replaced the *Cemeteries Act* in 2012). In anticipation of the potential discovery of human remains, preliminary consultation with the Western Fair Association, the Anglican Diocese of Huron, the Ministry of Tourism, Culture and Sport (MTCS), the Ministry of Consumer and Government Affairs (MGCS) – Registrar of Burials, and the City have been initiated.

To ensure that the further archaeological work is completed, the h-18 holding provision for archaeological resources should be applied to the western portion of the subject property.

For the easterly portion of the subject property bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south, and the current buildings were determined to have low archaeological potential. No further archaeological assessment is recommended, however construction monitoring by a licensed, consultant archaeologist is recommended given the potential risks associated with the potential discovery of human remains associated with the former St. Paul's Anglican Cemetery. To ensure this monitoring occurs, a new (h-*) holding provision is recommended to be applied to the easterly portion of the subject property that would require the preparation of an archaeological monitoring mitigation strategy prepared by a licensed, consultant archaeologist. The expectation is that the recommendations within the archaeological monitoring mitigation strategy would be executed concurrently with any demolition or construction activities. The recommended (h-*) holding provision would not prohibit demolition or construction where intensive or extensive soil disturbances have occurred and are documented. It may be appropriate to include the requirement to execute the archaeological monitoring mitigation strategy within the Development Agreement entered into during Site Plan Approval.

Archaeological monitoring is recommended for any ground disturbing development or site alteration within Queen's Park, consistent with the Stage 1-2 Archaeological Assessment (2010) and previous monitoring activities.

August 23, 2018: Development Services (Engineering)
Transportation

The following items are to be considered during the site plan approval stage:

- Completion and acceptance of a traffic impact assessment (TIA) and the implementation and construction of all recommendations.
- Staff will review the proposed access locations through the completion and acceptance of a TIA, which will need to review in detail the proposed relocation and need for signalisation. Staff will identify in detail the requirements as part of the TIA scoping.
- Road widening dedications are as follows:
 - Florence Street road widening dedication of 13.0m from centre line (London Plan requires 18.0m from centre line)
 - Rectory Street road widening dedication of 10.75m from centre line (London Plan required 11.5m from centre line)
 - King Street road widening dedication of 13.0m from centre line - requires 3.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)
 - Ontario Street road widening dedication of 18.0m from centre line required – requires 8.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)
 - Dundas Street road widening dedication of 20.0m from centre line required – requires 10.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)

- Egerton Street road widening dedication of 13.0m from centre line required (London plan requires 11.5m from centre line)
- In addition to the above noted road widening's 6.0m x 6.0m daylight triangles will be required at all intersections
- King Street, Ontario Street, and Dundas Street have been identified as rapid transit corridors in the Council approved Rapid Transit Master Plan (RTMP). The preliminary recommendation has identified Ontario Street as a candidate for a transit station, through the ongoing Transit Project Approval Process (TPAP). Furthermore Ontario Street has also been identified for a conversion from one way northbound traffic to a two way street with the addition of a southbound lane for traffic. Through the TPAP process the corridors and transit station locations will be refined in greater detail. For information regarding the RTMP or TPAP please use the following web link: <https://www.shiftlondon.ca/>

Wastewater

- No comment for the re-zoning application.

Stormwater

- No comment for the re-zoning application

Water

- No comment for the re-zoning application.

August 21, 2018: London Hydro

- No objection to the official plan and/or re-zoning application.

August 10, 2018: Upper Thames River Conservation Authority (“UTRCA”)

- The UTRCA has not objections to this application.

Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statment

Policy 1.1.1. b) – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Policy 1.1.3.1 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.3 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.4 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.2.6.1 – Building Strong Health Communities, Coordination, Land Use Compatibility

Policy 1.6.9.1 a) and b) – Building Strong Health Communities, Infrastructure and Public Service Facilities, Airports, Rail and Marine Facilities

Policy 1.6.7.4 – Building Strong Health Communities, Infrastructure and Public Service Facilities, Transportation Systems

Policy 1.7.1 – Building Strong Health Communities, Long Term Economic Prosperity
Policy 2.6.1 – Wise Use and Management of Resources, Cultural Heritage and Archaeology
Policy 2.6.2 – Wise Use and Management of Resources, Cultural Heritage and Archaeology

1989 Official Plan

Section 6.2 – Regional and Community Facilities Designation, Regional and Community Facilities
Section 6.2.1 i) – Regional and Community Facilities Designation, Regional and Community Facilities, Functional Categories of Regional and Community Facilities, Regional Facilities
Section 6.2.2 ii) – Regional and Community Facilities Designation, Regional and Community Facilities, Permitted Uses, Western Fairgrounds
Section 6.2.5 – Regional and Community Facilities Designation, Regional and Community Facilities, Scale of Development
Section 13.2.3 – Heritage Resource Policies, Built Heritage, Alteration, Removal or Demolition
Section 13.2.3.1 – Heritage Resource Policies, Built Heritage, Alteration, Removal or Demolition
Alteration or Demolition on Adjacent Lands
Section 13.4.1 – Heritage Resource Policies, Archaeological Resources, Scope
Section 13.4.3 – Heritage Resource Policies, Archaeological Resources, Applications Subject to Review
Section 18.2.12 – Transportation, Transportation Planning, Parking Policies

The London Plan

Policy 92_9. – Our City, City Structure Plan, Primary Transit Area
Policy 271_ – City Design, Site Layout, Parking
Policy 565_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design
Policy 566_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design
Policy 567_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design
Policy 586_ – City Building Policies, Cultural Heritage, Specific Policies for the Protection, conservation, and stewardship of Cultural Heritage Resources, Individual Heritage Properties
Policy 608_ – City Building Policies, Cultural Heritage, Archaeological Resources
Policy 616_ – City Building Policies, Cultural Heritage, Archaeological Resources
Policy 617_ – City Building Policies, Cultural Heritage, Archaeological Resources
Policy 1078_ – Place Type Policies, Urban Place Types – Institutional, Our Vision for the Institutional Place Type
Policy 1086_1. – Place Type Policies, Urban Place Types – Institutional, Intensity
Policy 1102_ – Place Type Policies, Urban Place Types – Institutional, Specific a Policies for the Institutional Place Type, Western Fair Grounds
Policy 1103_ – Place Type Policies, Urban Place Types – Institutional, Specific a Policies for the Institutional Place Type, Western Fair Grounds
Policy 1766_ – Our Tools, Noise, Vibration and Safety, Sensitive Land Used Near Noise Generators
Policy 1770_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise
Policy 1771_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise
Policy 1772_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise

City of London Zoning By-law Z.-1

Section 4.19 3) – General Provisions, Parking, Location of Parking Areas
Section 4.27 – General Provisions, Yard Encroachments

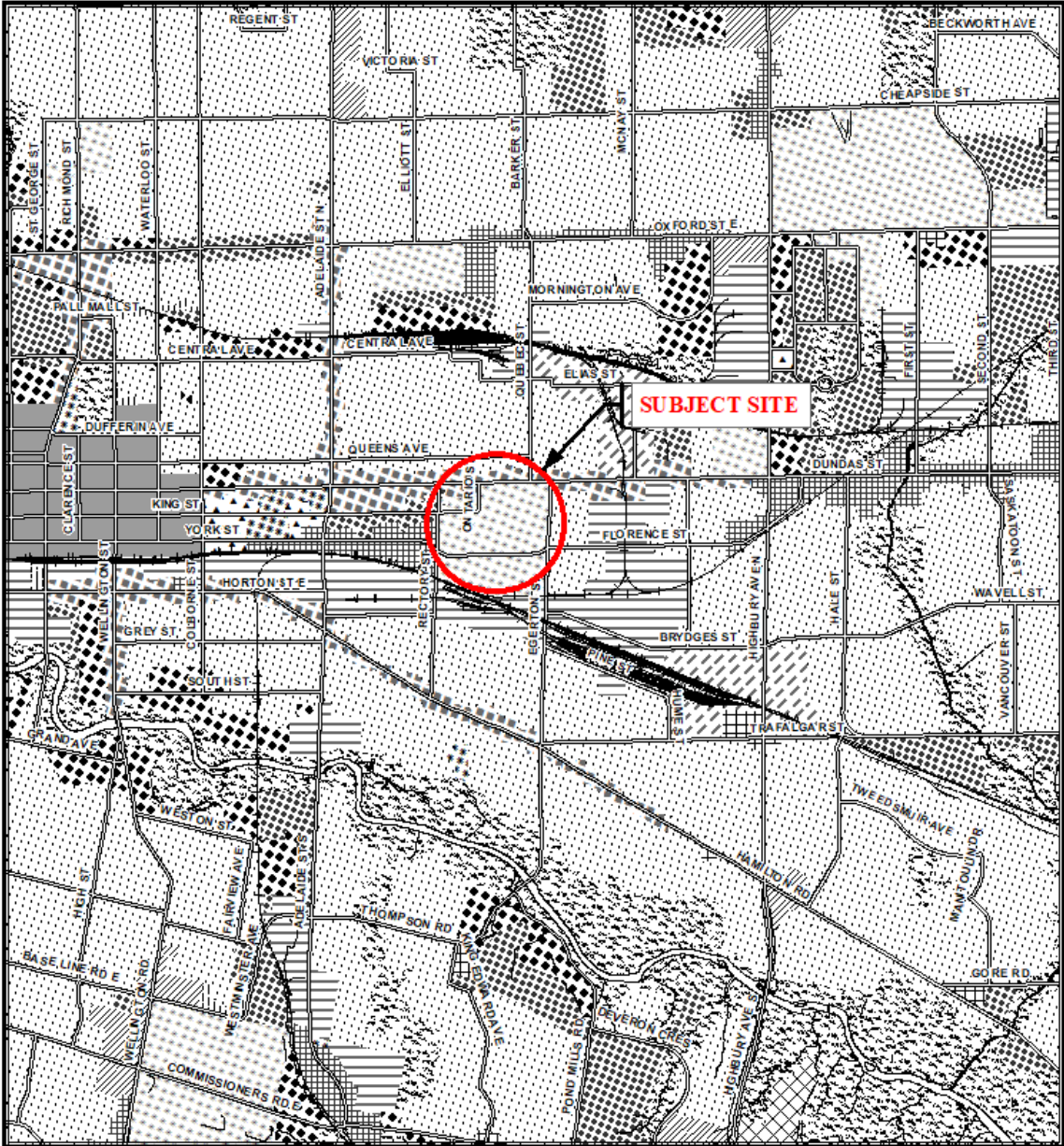
File: OZ-8937
Planner Name: M. Campbell

D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Use (1995)

Guidelines for New Development in Proximity to Railway Operations (May 2013)

Appendix E – Relevant Background

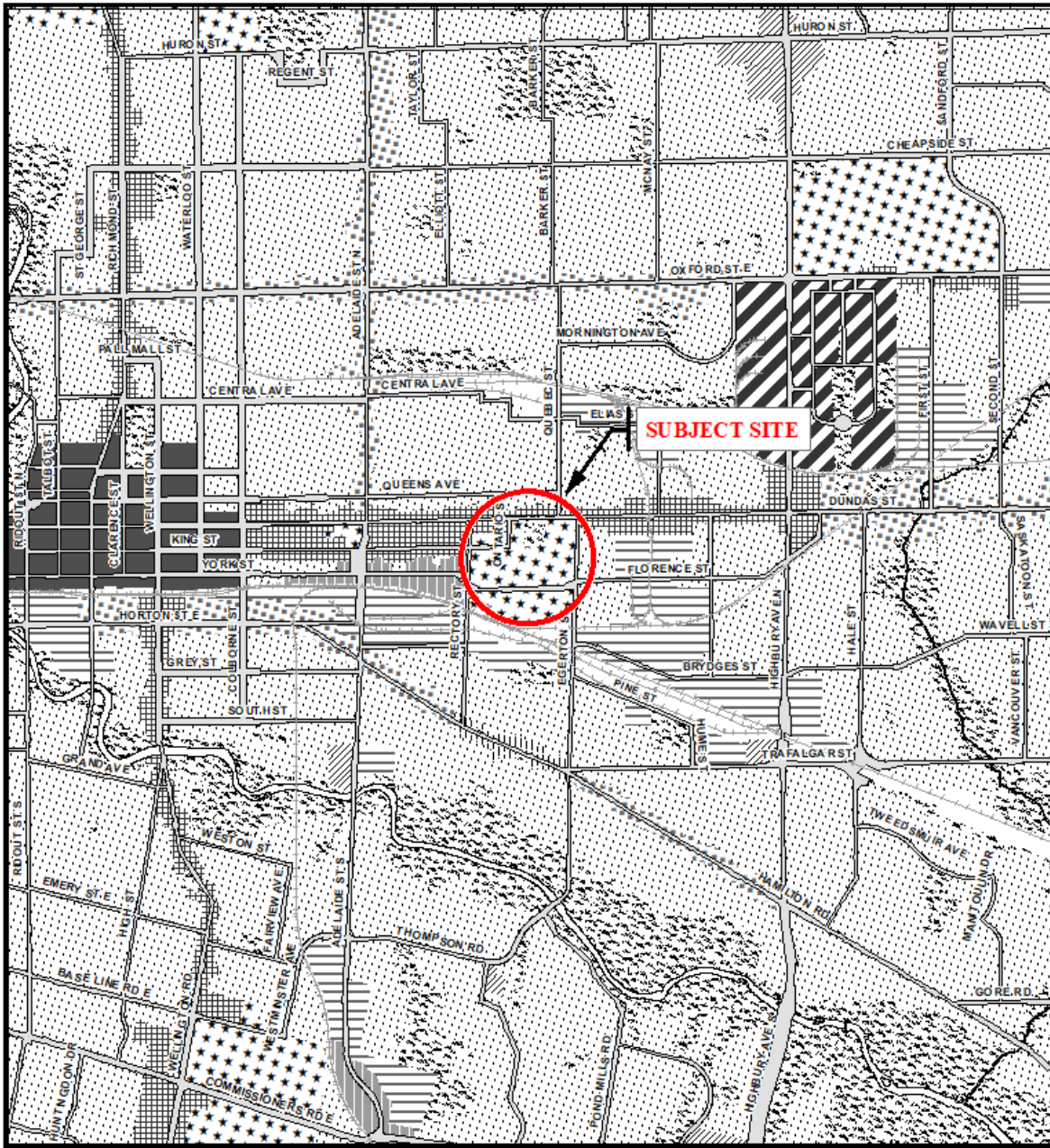
Additional Maps



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8934 PLANNER: MC TECHNICIAN: MB DATE: 2018/08/30</p>
---	-------------------------------------	--

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\koonso\00\excerpts\mxd_templates\schedule_A_b&w_8x14_with_SWAP.mxd



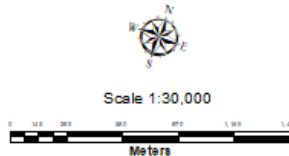
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

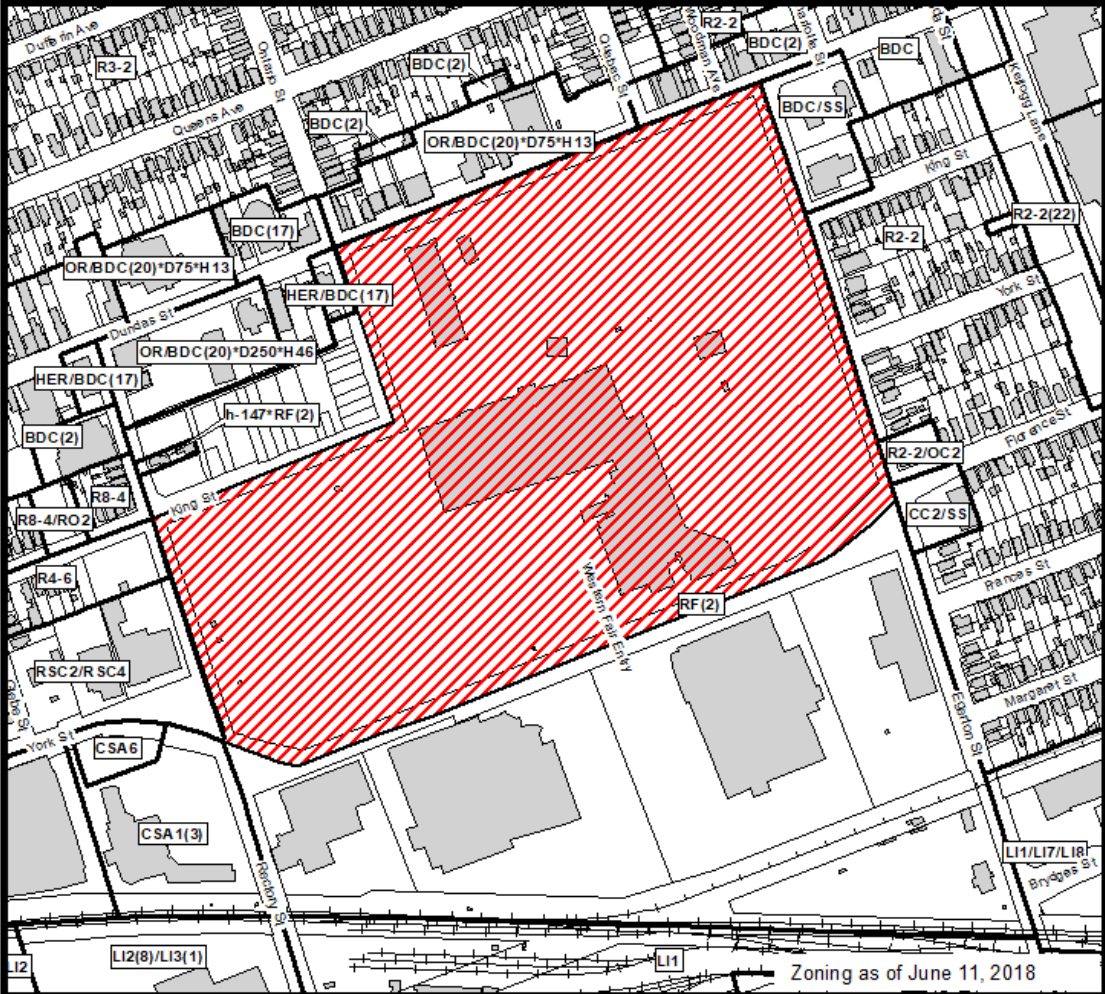
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.


At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-8934
Planner: MC
Technician: MB
Date: August 30, 2018



 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RF(2)**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z.-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
 OZ-8934 MC

MAP PREPARED:
 2018/08/30 MB

