



Hamilton

INFORMATION REPORT

TO: Chair and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: February 14, 2013	
SUBJECT/REPORT NO: Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts (PED13036) (City Wide)	
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Council Direction:

The primary mandate of the Gaming Facility Proposal Sub-Committee (GFPS) was to consider conditions respecting the City of Hamilton's (City) position relative to the Request for Proposal for the establishment of a Gaming Facility (GF) to be issued by the Ontario Lottery and Gaming Corporation (OLG), and report back to the General Issues Committee (GIC).

At the November 30, 2012 meeting of the GFPS, staff advised that in order to bring back a report to the Sub-Committee on potential casino locations, additional direction from the Sub-Committee members was required for the terms and conditions, as each location will have a different set of parameters.

As a result, City staff was directed by the GFPS, at its November 30, 2012, meeting to report back on 18 items. An additional five items were provided at the December 7, 2012, GIC Meeting. The following is a list of the 23 items:

1. *Want to see delineation of 3 different locations - Flamborough, anywhere within the City, and downtown;*

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2. *Want staff to report back on options for recommendations/suggestions as to how a casino proposal would be impacted with regard to zoning or any other issues on these three, or more, locations;*
3. *If a proponent wishes to build a casino in the downtown area, that the proposal be required to include a hotel and entertainment function, in addition to the casino with gaming tables;*
4. *Also, that such a condition require that a hotel associated with the casino be incorporated into the first phase of the project; somewhere down the road is not acceptable as a condition;*
5. *Essential that the residential component respecting redevelopment needs to be integrated; back cannot be turned to the street, but facing; cannot be self-sustaining such as Jackson Square;*
6. *Require articulation in the site plan in terms of construction of building;*
7. *Make the casino the least visible component of the development, and have everything else up front;*
8. *Do not want to see entertainment taken away from the HECFI scenario; use existing facilities;*
9. *Cannot change how the OLG established profit sharing, but can establish in the Request for Proposal (RFP) that the City will seek out more percentage over and above OLG percentages;*
10. *Outward type model vs. indoor type model; no more than 25% of facility should be casino in a larger facility such as a hotel;*
11. *Tied to HECFI facilities vs. their own entertainment within the facility;*
12. *Reciprocal co-production shows with HECFI facilities tied into casino operation;*
13. *Currently no revenue sharing on the gaming table side of the casino, only slots; do not want to lose sight of that, and was to be part of the process;*
14. *Something creative to ensure synergy between operation of the facility and surrounding area pertaining to restaurant facility;*
15. *Want to see percentage of gaming tables go toward mental health issues; how the municipality will have to deal with the significant social issues;*

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16. *What is the opinion of the restaurant industry with regard to a casino; not sure how to regulate number of seats, etc.;*
17. *Look at public space as a component of this as a public transit hub; include in RFP process to be located in parameters;*
18. *Have staff investigate possibility of time restrictions on the casino, i.e. opening and closing time - hours of operation; look at By-law to restrict serving of alcohol at gaming tables and slots;*
19. *If the casino is located in Hamilton proper and not in Flamborough, concerned about providing parking for the casino;*
20. *Casino should be responsible to provide 24/7 first response on casino property; want to ensure that with thousands of people on the premises on an on-going basis, that there is quick response;*
21. *Capital funds for a centre of excellence for Substance and Gambling Addiction in Hamilton;*
22. *Given size of casino structures, require LEED certification on any new facility that is built; will have significant impact on the community;*
23. *Suggest direction to City Manager to meet with City Managers of other possible host communities and ascertain exactly what each of those municipalities are wanting as a standard for a fee and come to an agreement together.*

Additionally, further to the direction of the City of Hamilton Gaming Facility Sub-Committee on December 13, 2012, staff was directed to provide a report on the potential economic impacts (pros and cons) of casino operations.

The purpose of this Report is to provide the General Issues Committee (GIC) with the necessary information requested from the GFPS, respond to the 23 items outlined above, as well as discuss economic impacts related to a new GF. Accordingly, the following provides information regarding the City's role, authority, and criteria for design and location for establishing a GF, as well as providing information for the 23 items outlined above, and provides a full discussion on the economic impacts related to a new GF.

Information:

In response to the GFPS, this Report addresses the following:

1. The role of the City of Hamilton (City) regarding GFs;

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2. Explains how the City's Zoning By-laws define GFs;
3. Illustrates where GFs are permitted within the City;
4. Outlines where GFs are encouraged to locate by Official Plan Policy;
5. Provides design parameters related to GFs;
6. Provides responses to the 23 items identified above; and,
7. Assesses economic impacts related to a GF.

1. **Role of the City**

In Ontario, the development of a new GF is a private development that is subject to an operating licence issued by the Province in accordance with the Ontario Lottery and Gaming Corporation Act. As part of the OLG process, the City may provide comment and request that certain conditions be included as part of the RFP. Furthermore, the establishment of a GF is also subject to standard municipal approvals including, but not limited to: zoning, site plan, building permit, and business licensing related to certain ancillary uses (i.e. – restaurants). Accordingly, the City's role regarding the establishment of a new GF includes the ability to identify the preferred location(s), comment and/or request conditions to be added to any new gaming licence issued in its municipality, as well as ensure that the City's Policies, By-laws and Guidelines are achieved through standard municipal approvals.

2. **Zoning - What is a Gaming Facility?**

Currently, there are seven Zoning By-laws that control the use of land within the City. Six of the Zoning By-laws relate to the former municipalities: Town of Ancaster (By-law No. 87-57), Town of Dundas (By-law No. 3581-86), Town of Flamborough (By-law No. 90-145-Z), Township of Glanbrook (By-law No. 464), City of Hamilton (By-law No. 6593), and the City of Stoney Creek (By-law No. 3692-92). The seventh Zoning By-law is the new comprehensive Zoning By-law No. 05-200, which applies to the City's Downtown, as well as City-wide parks and open spaces, existing institutional uses, and employment areas. Each of the aforementioned Zoning By-laws regulates GFs in different ways. The following is a summary of how each of the Zoning By-laws define and regulate GFs:

City of Hamilton Comprehensive Zoning By-law No. 05-200:

The following definitions, as taken from Zoning By-law No. 05-200, capture and permit the GF use:

- ***Commercial Entertainment*** - *Shall mean a use of an establishment for the general purpose of providing entertainment or amusement for a fee, and shall include, for example, but not be limited to, cinemas, performing arts theatres,*

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bingo halls, dance club, cultural events, but shall not include an amusement arcade or adult entertainment parlour.

- **Hotel** - *Shall mean a commercial establishment used for temporary rental sleeping accommodation for travellers, and which may offer other facilities such as personal service establishments, restaurants, retail stores, conference or convention facilities, exhibition facilities, commercial entertainment or commercial recreation, and for the purposes of this By-law, a motel, motor hotel, or an apartment hotel shall be deemed to be a “hotel”.*

Under Zoning By-law 05-200, a GF falls within the parameters of a commercial entertainment use, and is also permitted in conjunction with a hotel. Accordingly, any zone that permits a *commercial entertainment* use or a *hotel* would allow a GF. It is important to note that within Zoning By-law No. 05-200, where a *hotel* is permitted, a GF is only permitted as a facility that is part of the *hotel* use. As a result, a GF would not be permitted as a stand-alone use unless “commercial entertainment” is permitted as a primary use.

Ancaster Zoning By-law No. 87-57 and Dundas Zoning By-law No. 3581-86:

Both Ancaster Zoning By-law No. 87-57 and Dundas Zoning By-law No. 3581-86 do not include a definition or use which captures the GF use. Therefore, a GF is not permitted in any area regulated by these Zoning By-laws.

Flamborough Zoning By-law No. 90-145-Z:

Flamborough Zoning By-law No. 90-145-Z does not include a definition or use which captures the GF use. However, a site-specific zone (O3-2) was created to allow for a GF at 957-967 Highway 5 West and 966 4th Concession Road West, being the current location of Flamboro Downs. As a result, a GF is only permitted on those lands zoned “O3-2” within the area regulated by this Zoning By-law. Additionally, Ontario Regulation 680/98, being a Minister’s Zoning Order, (MZO) was filed on December 18, 1998, and applies to the Flamboro Downs lands. The MZO provides additional permissions related to the location, installation, and operation of slot machines. New development on these lands must also conform to the provisions of the MZO.

It should also be noted that hotels are not a permitted use within the lands zoned “O3-2”. A Zoning By-law Amendment to allow a hotel on these lands would need to be consistent with and conform to Provincial planning documents. As the Flamboro Downs lands fall within the “Protected Countryside” of the Greenbelt Plan, and are designated “Prime Agricultural” in the Rural Hamilton Official Plan, non-agricultural uses (including hotels) are not permitted. As a result, no new non-agricultural uses are permitted on the Flamboro Downs lands.

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Glanbrook Zoning By-law No. 464 and Stoney Creek Zoning By-law No. 3692-92:

Within lands regulated by Glanbrook Zoning By-law No. 464 and Stoney Creek Zoning By-law No. 3692-92, the GF use is captured and permitted within the *Place of Entertainment* Use. However, neither Zoning By-law defines “*Place of Entertainment*”.

Hamilton Zoning By-law No. 6593:

Hamilton Zoning By-law No. 6593 specifically prohibits GFs. Consequently, GFs are not permitted within areas regulated by this Zoning By-law.

Other Information Regarding Permitted Uses:

In order to establish any use, each proposal must comply with the regulations of the applicable Zoning By-law including, but not limited to, parking, building setbacks, landscaping, etc. Also, a Zoning By-law may be amended to include a new use on certain lands subject to consistency with and conformity to Provincial and Municipal policy documents such as the Provincial Policy Statement, Places to Grow Plan, Greenbelt Plan, Official Plans, etc.

The development or redevelopment of a site to accommodate a GF is subject to Site Plan Control, in accordance with By-law No. 03-294, which involves the City’s review and approval of detailed plans for site development including: landscaping, building elevations, and location of required parking. The erection of a GF building is subject to a Building Permit in accordance with the Ontario Building Code.

3. Where Are Gaming Facilities Permitted?

The following tables summarize what zones permit GFs. Appendix “A” provides maps illustrating these zones throughout the City on a Ward basis. Additionally, since the GFPS requested information related to hotels (see items 3 and 4) the table below also delineates which zones permit both a GF and Hotel.

Community/Area	Zones that Permit Gaming Facility	Zones that Permit Both a Gaming Facility and Hotel
Ancaster (By-law No. 87-57)	None	None
Dundas (By-law No. 3581-86)	None	None
Flamborough (By-law No.	O3-2 (See Map 14)	None

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Community/Area	Zones that Permit Gaming Facility	Zones that Permit Both a Gaming Facility and Hotel
90-145-Z)		
Glanbrook (By-law No. 464)	C2, C3, C5, M5, H-C3-175, C3-201, H-C3-227, H-C3-230, C3-242, C3-423, C3-255, and M6-138 (See Map 11)	C3, C5, M5, and H-C3-230 (See Map 11)
Stoney Creek (By-law No. 3692-92)	GC, CA1, CA2, HC, SC1, SC2, GC-31, GC-35, GC-43, and GC-45 (See Maps 9-11)	GC, CA1, CA2, and HC (See Maps 9-11)
Downtown Hamilton (By-law No. 05-200)	D1, D2, and D3 (See Map 2)	D1, D2, and D3 (See Maps 2)
Hamilton West Harbour (By-law No. 05-200)	D2-442, D6-443, D6-445 (See Map 1)	None
City Wide (By-law No. 05-200)	P3 (See Maps 1-15)	M1, M3, M4, and M6 (See Maps 1-15)
AEGD (Under Appeal)	None	M8 and M11 (See Maps 11 and 12)

With regard to the table above, a clarification is required regarding the City-wide “M” zones in City of Hamilton Comprehensive Zoning By-law No. 05-200. In this regard, a GF is only permitted in conjunction with a hotel, not as a stand-alone use.

As is outlined in Appendix “A”, GFs are generally permitted in the Hamilton Downtown Core and West Harbour, as well as accessory to hotels in the employment areas of the City. Also, GFs are permitted in certain commercial zones along major collector roads and at major intersections in Glanbrook (Ward 11) and Stoney Creek (Wards 9, 10, and 11). GFs are also permitted in major City-wide parks which include: Gage Park, Confederation Park, Ivor Wynne, Mohawk Sports Complex, Turner Park, William Connell Park, Valley Park, etc. Finally, a GF is also permitted in its current location at Flamboro Downs. It is clear that the locations which permit a GF have diverse contexts and, as a result, would require different design parameters. Later, this Report discusses the Urban Design principles for GFs.

This Section has outlined where GFs are permitted based on current zoning, however, it is important to highlight any restrictions such as use, maximum gross floor area, and/or maximum height that may also apply, and which would limit the

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potential of a GF. The following table provides key performance standards that regulate the development of a GF use related to the zones identified above.

Community/Area	Zone	Key Performance Standards
Flamborough (By-law No. 90-145-Z)	O3-2	Hotels are not permitted Max. Lot Coverage - 10% or +/-86,534m ² (+/- 931,443 ft ²)
Glanbrook (By-law No. 464)	C2	Hotels are <u>not</u> permitted Max. Height - 10.7m
	C3	Max. Gross Floor Area - 150% Max. Building Height 10.7m
	C5	Max. Building Height - 10.7m
	M5	Max. Building Height - 10.7m
Stoney Creek (By-law No. 3692-92)	GC	Max. Building Height - 16.5m
	CA1	Max. Building Height - 11m
	CA2	Max. Building Height - None, except 10m within 30m of King Street
	HC	Max. Building Height - 15m
	SC1	Hotels are <u>not</u> permitted Max. Gross Leasable Floor Area - 14,000m ² Max. Building Height - 11.5mm
	SC2	Hotels are <u>not</u> permitted Min. Gross Leasable Floor Area -14,000m ² Max. Gross Leasable Floor Area - 23,000m ² Max. Building Height - 20m
Downtown Hamilton (By-law No. 05-200)	D1	Max Building Height - 15 to 55.5m (see Appendix "B") Max. Building Setback from a Street - 2.0m Min. 7.5m façade height along a Street Min. 75% built frontage along a Street
	D2	Max Building Height - 15 to 55.5m (see Appendix "B") Max. Building Setback from a Street - 2.0m Min. 7.5m façade height along a Street Min. 75% built frontage along a Street
	D3	Max Building Height - 15 to 55.5m (See Appendix "B") Max. Building Setback from a Street - 2.0m Min. 7.5m façade height along a Street Min. 75% built frontage along a Street

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Community/Area	Zone	Key Performance Standards
Hamilton West Harbour (By-law No. 05-200)	D2-442	Hotels are <u>not</u> permitted Max. Floor Area Ratio for Retail - 0.2 Max. Gross Floor Area for Office - 3,000m ² Max. Building Height - 15m Max. Building Setback from a Street - 4. m Min. 25% built frontage along a Street
	D6-443	Hotels are <u>not</u> permitted Max. Building Height - 15m Max. Building Setback from a Street - 4.5m Min. 25% built frontage along a Street
	D6-445	Hotels are <u>not</u> permitted Max. Building Height - 30.8m and 8-storeys Max. Building Setback from a Street - 4.5m Min. 25% built frontage along a Street
City Wide (By-law No. 05-200)	P3	Hotels are <u>not</u> permitted Max. Building Height - 11m No retail use shall exceed 100m ² of gross floor area for any individual establishment
	M1	GF <u>only</u> permitted in conjunction with a Hotel Max. Building Height - 38m Individual retail establishment is restricted to a Max. gross floor area of 500m ²
	M3	GF <u>only</u> permitted in conjunction with a Hotel Individual retail establishment is restricted to a Max. gross floor area of 500m ² Max. gross floor area for a restaurant is: o 280m ² ; or, o 30% of the total gross floor area for a restaurant located on a property with frontage on South Service Rd.
	M4	GF <u>only</u> permitted in conjunction with a Hotel Supporting commercial uses are only permitted on the ground floor Max. gross floor area of accessory retail is 500m ²
	M6	GF <u>only</u> permitted in conjunction with a Hotel Individual retail establishment is restricted to a Max. gross floor area of 500m ²
AEGD (Under Appeal)	M8	GF <u>only</u> permitted in conjunction with a Hotel Max. Building Height - 11m

Community/Area	Zone	Key Performance Standards
	M11	GF <u>only</u> permitted in conjunction with a Hotel Restaurants are <u>not</u> permitted Max. gross floor area of accessory retail is 500m ²

As outlined above, use restrictions, maximum building heights, and maximum gross floor areas could limit the potential for developing a GF in some zones. The zones which require a maximum building height less than 15m may limit the ability for the GF proposal to include a hotel. In reviewing the land use regulations for the three areas (Flamborough, Downtown, and rest of the City) against the 23 items identified by the GFPS, the Downtown provides the greatest flexibility in performance standards for a new GF proposal.

4. **Where Are Gaming Facilities Encouraged to Locate by Policy?**

Notwithstanding the information above, which outlines where GFs are currently permitted within the City, it is important to refer to Council approved documents that outline the land use structure of the City. The Urban Hamilton Official Plan (UHOP) has been approved by the Minister of Municipal Affairs and Housing, but has been appealed. While the UHOP is not in full force and effect, it is a statement of most recent Council policy and is a guiding document establishing goals and policies to move the City towards achieving its vision for the future. The UHOP is built on a nodes and corridors structure, where the nodes and corridors are to be the focus of reurbanization and activity, since they are intended to connect to each other and accommodate higher densities.

Within the UHOP the Urban structure is based on:

- The urban nodes of *Downtown Urban Growth Centre; Sub-Regional Services Nodes; and Community Nodes;*
- The *Primary and Secondary* urban corridors;
- Major Activity Centres;
- Neighbourhoods;
- Employment Areas; and,
- Major Open Space.

Within this structure, 'Major Open Space' is intended to accommodate the City's passive and active recreational needs, 'Employment Areas' are intended to

function as uses providing employment and supporting uses; 'Neighbourhoods' are intended to function as complete communities including a variety of land uses; and, the 'Major Activity Centres' are intended to accommodate major institutional uses acting as major employment generators and regional scale services. The 'Corridors' and 'Urban Nodes' are intended to connect to each other and provide the businesses and services serving the community, sub-region, City, and beyond.

Within this structure, the 'Downtown Urban Growth Centre' is the largest and most significant node. With regard to a GF, Policy E.2.3.1.7 of the UHOP states:

"The Downtown Urban Growth Centre shall be promoted as the centre for major public facilities, cultural facilities and uses, and major entertainment uses, and shall function as the cultural and institutional centre of the City."

In this regard, the UHOP directs and encourages major entertainment uses, such as a large scale GF, to the Downtown Urban Growth Centre.

Furthermore, the **Putting People First: The New Land Use Plan for Downtown Hamilton** (Downtown Secondary Plan) is the guiding document for development in the Downtown. This plan specifically designates the *Specialty Commercial* areas as the key dining and entertainment areas in the Downtown, capturing Hess Village as a dining and entertainment area, and the King William theatre district as a potential major destination. Alternatively, the *Civic Cultural Area* is identified as a key activity centre with major attractions. The overall land use strategy of the Downtown Secondary Plan is attached as Appendix "C" to illustrate the *Specialty Commercial* and *Civic Cultural Area* locations. The Downtown Secondary Plan further defines this Node and directs these major attractions to specific areas.

5. **Urban Design:**

This Section will discuss the Urban Design requirements related to establishing a new GF within the City.

As outlined above, GFs are permitted in urban, suburban, and rural areas of the City, which have diverse contexts. As a result, the design response to a new GF will be based on its context. For example, a stand-alone GF in the Downtown Core would have different design considerations than a GF within a hotel in an employment area. Site, building, and landscape design will respond to contextual items such as existing building setbacks and heights of the surrounding neighbourhood, building materials found in the neighbourhood, streetscape, landscape design, etc. Notwithstanding this, there are urban design principles that have been established in City policies, which provide the basis for

the design of a new GF proposal. The key Urban Design principles are outlined below.

Key Urban Design Policies and Guidelines:

The UHOP is a guiding document with policies that recognize the value of Urban Design in creating successful, physically attractive, and flourishing communities where people want to live, visit, and do business. The key Urban Design goals of the UHOP include:

- “B.3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.*
- B.3.3.1.2 Provide and create quality spaces in all public and private development.*
- B.3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.*
- B.3.3.1.4 Create communities that are transit-supportive and promote active transportation.*
- B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.*
- B.3.3.1.6 Create places that are adaptable and flexible.”*

The UHOP requires new developments to enhance community pride, provide quality spaces, create pedestrian and transit-supportive places, ensure compatibility, and create places that are adaptable and flexible. The UHOP contains several detailed policies outlining benchmarks to achieve these goals. These detailed policies relate to built form, public art, treatment of parking, landscaping, and gateways.

The **Council Approved Site Plan Guidelines (SPG)** are implemented in the planning approval stages for new development throughout the City. The Guidelines provide a broad range of design recommendations pertaining to site context, site design, building design, and areas of special character, as well as standard technical requirements for functionality, including landscaping, streetscaping, and parking design. With regard to GFs, the following five Urban Design areas are relevant:

- Public realm and streetscaping;
- Site design;
- Building design;

- Landscaping; and,
- Design of new buildings on infill type sites.

The SPG reinforce the urban design policies of the UHOP. Overall, building design is encouraged to be of a high quality, and to be oriented to the street to improve the public realm and streetscaping, and achieving good site design. Prominent locations are to receive special design attention to create gateways and improve the City's image. Building facades facing public areas and streets are to receive special attention by way of a high quality architectural design, use of high quality materials, use of ample windows and doors, and the incorporation of decorative elements such as cornices, building bases, canopies and awnings, lighting, colonnades, terracing, and main entrances that are architecturally emphasized.

Other guiding documents, which relate to the urban design of a GF, include the **Council Approved Transit Oriented Development Guidelines (TOD Guidelines)** and the Council Approved **City-Wide Corridor Planning Principles and Design Guidelines (Corridor Guidelines)**. The TOD Guidelines apply to areas near transit facilities, while the Corridor Guidelines apply to areas within 400m of a Primary (e.g. A and B Lines) and Secondary Urban Corridor (e.g. Centennial Road, Rymal Road, Mohawk Road). These guidelines further define the UHOP urban design policies, and provide technical design requirements related to built form, streetscaping, walkability, accessibility, parking management, and place making.

Key Urban Design Principles for Gaming Facilities:

Based on the aforementioned policies and guidelines, the design of a GF should be grounded on the following guiding principles:

- A new GF should blend into the fabric of the adjacent area;
- Create a multi-use destination by providing a variety of uses or locating in an activity centre, which provides other supporting uses;
- Create a street oriented building design that enhances the public realm;
- Provide streetscape improvements along key streets leading to and around the site to encourage visitor mobility; and,
- Find synergistic opportunities with existing uses and encourage complementary business development around the site.

Based on these guiding principles, staff recommends the following Urban Design considerations for a new GF in the City.

Site Design and Built Form Considerations:

The site design and architectural design of a GF is important to the overall Urban Design. A well designed site and high quality building will contribute to enhancing the image and quality of the City. The following should be considered:

- If a parking structure, the ground floor must be designed with commercial, pedestrian-oriented uses.
- A building design that includes a ribbon of commercial uses along the primary frontages so as to promote street activity along the ground floor of the building, while the primary gaming function should be placed internally within the principal building, avoiding blank walls along the street.
- Creating a pedestrian oriented design that promotes a 'porous' relationship to the 'street' (public or private), and allowing an interaction with the streetscape with ample windows and prominently located entrances.
- Creating a sense of arrival and providing drop-off and pick-up areas.
- Breaking up the overall massing of the building by providing a building podium, middle, and a top. There may be site-specific design considerations where the massing of buildings is required to be stepped or terraced to visually reduce the building scale, mitigate negative impacts such as noise, shadow, and overlook to fit into an existing and contextual built form configuration, and/or to mitigate potential impacts to other neighbouring resources, such as heritage.
- Providing visually attractive architecturally designed building facades comprised of durable high quality building materials, such as brick and stone, eliminating large expanses of blank walls.
- Locating buildings close and parallel to a street so that buildings can address the street and reinforce the general pattern of built form and the street edge.
- Providing building massing and design elements at visually prominent portions of a site, such as a corner, by using architectural elements such as towers, domes, colonnades, canopies, and large areas of windows.
- Addressing adverse site conditions such as steep grades in an architecturally sensitive and visually attractive manner.
- Locating servicing areas such as loading, parking, and parking garage entrances away from the prominent frontages, yet demonstrating sensitivity to abutting land uses.

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- The principles of 'Transit Oriented Design' should be integrated into any design, and site-specific considerations may be required to accommodate and facilitate transit.
- Where identified views and vistas in Council approved documents exist, these must be integrated into the urban design. Significant views or vistas should be preserved, where possible. In the design of new development, consideration will also be given to the creation of new vistas, including views to public and private buildings, open spaces, natural features, landmarks and skylines.

Interface/Heritage Integration/Adaptive Re-Use Considerations:

Where development or redevelopment occurs that interfaces, relates, or impacts heritage structures and spaces, good urban design should respect heritage and strive to achieve appropriate accommodation of heritage. These high level principles should be applied:

- Where possible, existing heritage features, structures, and spaces should be conserved, integrated into development, and adaptively reused by the redevelopment.
- Where new development abuts or impacts a neighbouring heritage resource, the development should implement design strategies that are sensitive to the heritage.
- Architecturally, new development should be designed to relate or respond to architectural features of neighbouring heritage buildings and spaces by appropriating design elements such as: materiality, building rhythm, building massing elements, facade articulation, floor heights, and building setbacks.
- Where a GF is proposed as adaptive reuse of an existing culturally significant building(s), the exterior design of the facades should be updated, renovated, restored, and/or adapted to the new use in manner that represents good practice architecturally.

Streetscape Considerations:

- Streetscape enhancements including: Urban Braille, enhanced street lighting, street tree planting, improved way-finding, seating, bike racks, garbage containers, enhanced paving, planting areas, public art, intersection corner treatments, on-street parking, and on-street loading. These improvements should be focused on creating and enhancing the level of pedestrian comfort by creating vibrant and active streets.

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- The theming of streets that directly lead to the GF with designs themes that establish or strengthen the identity of the area.
- Flexibility and provision for sidewalk cafes and restaurant patio spaces, which enliven and animate the streetscapes.
- Providing a high quality landscape design for public and semi-private areas and spaces that contribute to a sense of arrival and convey a destination in the Downtown that has a high quality.
- The public realm must be comfortable, safe, of a high design standard, and ensure that the night-time experience is accounted for so as to provide an inviting and rich experience at night.

The urban design policies and considerations identified above are intended to outline the City's urban design requirements, as established in policy. As noted earlier in the *Role of the City* Section, the City has the opportunity to implement its policies through its comments/recommended conditions on the OLG RFP process, as well as any required City approvals such as Site Plan Control. The following section will further define how the City's urban design policies could be implemented.

Implementation of Urban Design:

The development of a new GF will require a Site Plan Control Application approved through the City's Planning Division. As part of the Site Plan process, staff would request an Urban Design Brief, to be prepared by the applicant, to demonstrate conformity of the proposal with the applicable Council approved policies and guidelines. The Urban Design Brief will provide the urban design rationale for the proposal, and demonstrate how new buildings and spaces are scaled and located with respect to adjacent built forms and spaces or the neighbourhood context. The Brief should also show the derivation of building setbacks and heights, the choice of exterior materials for new construction, and the appropriateness of new hard and soft landscaping.

In addition to the Urban Design Brief, staff may also request other urban design related studies such as a sun/shadow study, heritage impact assessment, view shed analyses, vehicular and pedestrian circulation plan, wind study, and landscaping plans.

Finally, the City could request that certain Urban Design conditions be applied to the OLG permit for the development of a new GF. In this regard, the City should adopt the following Urban Design conditions and request that the OLG include these conditions as part of the licence.

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- (i) *The GF shall be a mixed-use building with a configuration that includes a variety of integrated commercial, hotel, and entertainment uses. A stand-alone GF should be avoided and the City should not support this.*
- (ii) *The GF function should be placed internally within the site, preferably located at the rear of the principal building or on floors above the ground floor.*
- (iii) *The GF shall be a pedestrian-oriented building design with large windows and ample entrances to promote an inviting and porous building that creates interaction with the streetscape.*
- (iv) *The GF shall be a high quality architectural design, and be a visually attractive building comprised of durable high quality building materials, such as brick and stone, eliminating large expanses of blank walls.*
- (v) *The GF shall have a vibrant and high quality site design with enhanced landscaping, amenity areas, and shall contribute to the public realm to create a superior sense of arrival and convey a destination that has high quality.*
- (vi) *Loading, parking, parking garage entrances, and servicing, shall not be located along the prominent street frontages.*
- (vii) *If a parking structure, the ground floor must be designed with commercial, pedestrian-oriented uses.*

6. Response to Discussion Items:

1. ***“Want to see delineation of three different locations - Flamborough, anywhere within the City and Downtown.*”**

Response:

Item 1 has been addressed in Section 3 of this Report and illustrated in Appendix “A”.

2. ***Want staff to report back on options for recommendations/suggestions as to how a casino proposal would be impacted with regard to zoning or any other issues on these three, or more, locations.***

Response:

Section 3 of this Report outlines where GFs are permitted, and key zoning performance standards that may limit the establishment of a GF. However, GFs are generally major entertainment uses that draw people from the host

community, surrounding communities and out-of-town visitors. As a result, a GF benefits from accessibility to higher order transit and major transit corridors that connect to surrounding communities, as well as provide access to the host community. Therefore, proximity and accessibility to the QEW and 403 Highways, GO transit facilities, Lincoln M. Alexander Parkway/Red Hill Valley Parkway; and planned rapid transit corridors will be an important aspect to any location. Below is a summary of the key considerations related to the three locations identified.

Flamborough:

- A hotel is not permitted on the Flamboro Downs lands (see Page 5 for full discussion).
- The existing Flamboro Downs site is an isolated destination location, which precludes opportunities for synergies and being a catalyst for additional development.
- The maximum Lot Coverage of 10% or +/-86,534 m² (+/- 931,443 ft²) precludes any restriction on expansion of the existing facility.
- Due to the large site area and location, parking is not a constraint.

Downtown:

- The Downtown Zones (D1, D2, and D3) permit GFs, hotels, and other entertainment uses as-of-right, either stand-alone, or collectively as part of a large scale development.
- The Downtown Zones contain regulations respecting design, such as maximum building setbacks from streets, minimum facade heights along streets, minimum built frontages, etc. (see Key Performance Standards on Page 8).
- Although no parking is required in the Zoning By-law for a GF, based on the industry standard (see discussion in Item 19, below), and given potential land constraints in the downtown, a multi-level parking structure would likely be required.
- A downtown location provides the greatest opportunity for synergies with other established major entertainment facilities.

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- A downtown location provides opportunities for spin off benefits to other services in the downtown (e.g. restaurants, accommodation, conventions, entertainment, etc.).
- A downtown location has existing accessibility to higher order transit and major transit corridors.

Anywhere Else in City:

- A GF is only permitted in conjunction with a hotel in the 'Employment Areas' (M1, M3, M4, M6, M8, and M11 Zones). Other constraints for 'Employment Areas' include:
 - Limited opportunities for retail and service uses due to the maximum gross floor area regulations (see Key Performance Standards on Page 8) in the 'Employment Area'.
 - Reduced opportunities for synergies with area businesses; and,
 - In some cases, restricted transit and/or pedestrian accessibility.
- Hotels are not permitted in the West Harbour or major City parks (P3 Zone).
- Those commercial zones (delineated in Appendix "A") along major collector roads and at major intersections in Glanbrook and Stoney Creek are constrained due to:
 - Only certain zones (see *Where are Gaming Facilities Permitted* - Pages 6 and 7) permit a GF, hotel, and entertainment uses.
 - In some cases, transit, vehicular, and/or pedestrian accessibility is restricted in these areas;
 - Maximum building heights and maximum gross floor area restrictions may be an impediment;
 - Availability of large parcels of land;
 - Given potential land constraints, a multi-level parking structure would likely be required; and,
 - Greater opportunity for traffic, parking, and noise impacts to surrounding neighbourhoods, since these areas tend to be surrounded

by low density residential areas with a lack of accessibility to higher order transit and major transit corridors.

Potential Conditions:

Based on the foregoing, the Downtown area would provide the most flexibility in terms of land use regulations. However, if a hotel is a requisite component, then the City would have to request the OLG to include this as a condition.

- 3. If a proponent wishes to build a casino in the Downtown area, that the proposal be required to include a hotel and entertainment function, in addition to the casino with gaming tables.***

Response:

In order to require a GF to include a hotel and entertainment facility if located in the Downtown area, the proposal would need to locate in a zone that permits both a hotel and GF. As outlined in the table on Page 7, the D1, D2, and D3 Downtown zones permit both a GF and hotel. However, the zoning does not require GFs to be in conjunction with a hotel. Consequently, if the City wishes to require a Downtown GF to be in the form of an integrated hotel, commercial complex, it must request the OLG to include this as a condition.

Potential Condition:

The City could request the OLG to include a condition to the license that requires the GF be part of an integrated hotel, commercial and entertainment complex.

- 4. Also, that such a condition require that a hotel associated with the casino be incorporated into the first phase of the project; somewhere down the road is not acceptable as a condition.***

Response:

The City does not have the authority to require a hotel to be constructed during the first stages of construction of a GF unless it is captured in the applicable Zoning By-law. For example, the City-Wide “M” Zones permit GFs only in conjunction with a hotel. As a result, the GF can only be established once the hotel use has been established in the “M” Zones. However, in all other zones which permit GFs, there are no land use regulations or authority for the City to require a hotel to be constructed in the first phase of the project.

Potential Condition:

The City could request the OLG to include a condition requiring the GF to include a hotel in the first phase of the project, or the City could request the OLG to restrict the location to an “M” Zone where the land use regulations require the GF in conjunction with a hotel.

5. ***Essential that the residential component respecting redevelopment needs to be integrated; back cannot be turned to the street, but facing; cannot be self-sustaining, such as Jackson Square.***

Response:

The Urban Design Policies of the UHOP and the design standards of the SPG direct new development to address the street, as well as integrate well with existing and planned residential uses. However, the degree to which this issue will be addressed will be through an analysis of the existing and planned context around the GF proposal. Where the use is permitted in locations that are pedestrian and transit oriented, such as the Downtown, the design of the development will need to be sensitive to that context and be guided by the direction outlined in the *Key Urban Design Principles* identified earlier. However, the Downtown Zones contain design regulations (e.g. maximum building setback from a street, and built form standards - see *Key Performance Standards* on Page 9), which will ensure that the building is located close to and faces the street. Alternatively, if the GF is located within other areas (e.g. Flamboro Downs, Employment Areas, etc.) with no existing or planned residential component, the development will need to respect the existing and planned context around the site, and it may not be essential for the GF to face the street or integrate with the residential component; instead it can be ‘self-sustaining’.

The degree to which the GF design includes components, uses, and design features that are oriented to the street and contribute to the public realm could only be determined with a specific geographic location. Although, one can generalize that the surrounding context will determine the GF’s street presence.

Potential Condition:

The City could request the OLG to include the Urban Design principles set out in Appendix “E” as a condition.

6. *Require articulation in the site plan in terms of construction of building.*

Response:

The overall architectural design quality of the GF is addressed by the *Site Design and Built Form Considerations* of this Report. The configuration of the GF may vary based on location and urban context (as discussed above). However, because such developments often function as significant destinations, the architectural design quality of the building including the treatment and materiality of the exterior facades should be of the highest quality and should provide a visually attractive building comprised of high quality materials and variations of building form and mass.

If the GF is located in the Downtown, the design and exterior treatment of the building should be of the highest quality, especially close to the public realm and streetscape where the building is oriented to the street to animate and enliven the streetscape. Locations outside of the Downtown will have a varying degree and character of built environment, which can influence the design character of the building and site design configuration of the GF. However, regardless of location, the overall architectural quality expectation of the building can remain high.

In addition, the overall site design and landscaping of the site should continue to include visually interesting landscaping features and planting, and seek to create the highest design quality.

Potential Condition:

The City could request the OLG to include the Urban Design principles set out in Appendix “E” as a condition.

7. *Make the casino the least visible component of the development and have everything else up front.*

Response:

The configuration of the internal components of the GF, which comprises the Gaming portion (casino hall) and any other entertainment uses and functions that are permitted on the site (hotel, restaurants, shops, etc.), will vary according to location of the site, permitted zoning, and other contextual conditions of the site.

GFs typically include highly controlled entrance points, and do not typically promote interaction with the streetscape, which potentially creates large

expanses of uninteresting blank walls. The greatest potential and benefit for subordinating the gaming portion relative to the other components of the development (hotel, restaurants, and shops) currently exists in the Downtown due, in large part, to the Urban Design Policies of the UHOP, The DTSP, D1-D2-D3 Zoning, and the design standards of the SPG.

There are two ways of making the gaming portion less visible. The first is to place the gaming portion internally within the principle building and away from public streets. Then line the outsides of the building that are along the street edge with uses that require visibility to the street, such as restaurants and shops. The second is to place the gaming portion on upper floors of a building, leaving the ground floor areas for restaurants, lobbies, shops, etc. The benefits of diminishing the visibility of the gaming portion allow the other components of the development (hotel, restaurants, shops, etc.) to enliven the streetscape and contribute to the enhancement of the Downtown environment.

The degree to which the GF can be made less visible may vary across the permitted zones listed in this Report. The issue of visibility is influenced by the degree and nature of the other permitted uses within a particular zone, as well as the building and landscaping performance standards of that zone. As an example, within an Employment Zone, the Gaming use must be located within a hotel, and is permitted to be located on the ground floor of the hotel. If the hotel is located in an Employment Park, with surface parking, and away from the public realm, the Gaming use within the hotel may not be visible.

From an urban design perspective, the issue of visibility decreases in importance within non-pedestrian and transit-oriented locations, such as Flamboro Downs and on the interior of Employment Areas, since buildings tend to be located away from the street with an abundance of surface parking.

Potential Condition:

The City could request the OLG to include the Urban Design principles, set out in Appendix “E”, as a condition.

8. ***Do not want to see entertainment taken away from the HECFI scenario; use existing facilities and tied to HECFI facilities vs. their own entertainment within the facility.***

Response/Potential Condition:

The City could request a condition where the City must approve any entertainment aspect of a new GF development. Limitations could be placed

on the type of entertainment offered or the size of the potential venue as to not compete with existing HECFI venues.

9. ***Cannot change how the OLG established profit sharing, but can establish in the RFP that the City will seek out more percentage over and above OLG.***

Response/Potential Condition:

The City could request a condition that an additional percentage (or lump sum) be payable to the City; however, this would need to be agreed to and absorbed by the potential GF operator. Given that this percentage would cut into a potential GF operator's revenue, there is a strong possibility that the operator could decide to by-pass the City's gaming zone in favour of another zone/another city that did not impose that particular condition.

10. ***Outward type model vs. indoor type model; no more than 25% of facility should be casino in a larger facility such as a hotel.***

Response:

As noted earlier, the City's land use and Urban Design policies direct major entertainment uses (including GFs) to locate in nodes where other supporting uses exist, and to provide proper design responses to the surrounding context and character. Each area's surrounding uses and context will determine the range of uses provided within the GF proposal, as well as functional outward or indoor design response.

Potential Condition:

The City could request the OLG to include a condition that requires the GF to provide a minimum amount of other entertainment uses and/or a hotel. Also, the City could request the OLG to include the Urban Design principles set out in Appendix "E" as a condition.

11. ***Tied to HECFI facilities vs. their own entertainment facility.***

Response/Potential Condition:

The City could request a condition that any entertainment aspect of a GF development be complementary, non-competitive to HECFI facilities, thereby reducing the chance of cannibalization.

12. ***Reciprocal co-production shows with HECFI facilities tied into casino operation.***

Response/Condition:

The City could request a condition that any entertainment aspect of a GF development be complementary, non-competitive to HECFI facilities, thereby reducing the chance of cannibalization.

13. ***Currently no revenue sharing on the gaming table side of the casino, only slots; do not want to lose sight of that and was to be part of the process.***

Response:

Staff has had further discussions with OLG representatives, who have indicated that municipalities will receive revenues **only** from the slot operations, as per the Provincial Standardized Municipal Contribution Agreement.

Potential Condition:

The City could request the OLG to provide revenues from gaming tables.

14. ***Something creative to ensure synergy between operation of the facility and surrounding area pertaining to restaurant facility.***

Response:

The “Downtown Casino Benefits Analysis” (attached as Appendix “F”) completed for Downtown Davenport Iowa, concluded that markets where a GF is integrated into the fabric of a downtown, both physically and through cooperative relations with other businesses, food, and drink establishments, have experienced increases in sales of 5% - 20% with the opening of a downtown GF. The benefits are especially true for those establishments that partner with the GF for participation in their comp or rewards. The same study found minimal to no benefits for dining establishments where GF design was not integrated, and where the GF operator did not partner with other dining establishments.

Potential Condition:

The City could request the OLG to impose a condition that the operator will be required to partner with local restaurants and hospitality partners through comp or rewards programs.

15. ***Want to see percentage of gaming tables go toward mental health issues; how the municipality will have to deal with the significant social issues.***

Response:

Staff has had further discussions with OLG representatives who have indicated that municipalities will receive revenues **only** from the slot operations, as per the Provincial Standardized Municipal Contribution Agreement. If the City was to impose a condition that a percentage of the gaming tables was to go toward mental health issues, this cost would need to be absorbed by the GF operator. Given that this percentage would cut into a potential GF operator's revenue, there is a strong possibility that the operator could by-pass the City's gaming zone in favour of another zone/another city that did not impose that particular condition.

Potential Condition:

The City could request the OLG to impose a condition that a percentage of the revenue from the gaming tables go toward local mental health issues programs and services.

16. ***What is the opinion of the restaurant industry with regard to a casino; not sure how to regulate number of seats, etc.***

Response:

Staff has met with the President of the Ontario Restaurant Motel and Hotel Association (ORMHA), and has subsequently received their industry opinion on GF developments, which is attached as Appendix "D". As outlined in Appendix "D", it is ORMHA's opinion that:

"In theory, unless an existing area is limited in hospitality presence, it stands to reason that it is in our industry's best interest to be against a stand-alone casino, but rather support an integrated casino development concept that will yield the greatest potential for attracting incremental business into the destination."

ORHMA has also indicated that they would be willing to survey their Hamilton membership to gauge their opinions on a potential GF location once the City has narrowed down the location options. This would mirror a similar survey that the organization is currently undertaking in Toronto for the three locations that they have identified. In addition, staff's research of other jurisdictions has found greater benefits to local restaurants when the GF operator made the effort to be integrated with the existing hospitality industry. The benefits were especially true for those establishments that partner with the GF for participation in their comp or rewards program.

Potential Condition:

The City could request OLG to impose a condition that the operator will be required to partner with local restaurants and hospitality partners through comp or rewards programs.

17. *Look at public space as a component of this as a public transit hub; include in RFP process to be located in parameter.*

Response:

The quality and design of the public realm and the public spaces that are created by the GF should be of a high design standard, and must complement the land use structure of the City; that of Nodes and Corridors. The overall design of the public realm of a GF development should be shaped by the Council approved Transit Oriented Development Guidelines, the City-Wide Transportation Master Plan, and shall support the high order transit studies completed to date for the A Line and B line Corridors. Further to this, specific enhancements to the streetscapes leading to the facility and streetscapes around the GF may become necessary, subject to the final site selection. The GF should contribute other civic enhancements, such as public art, and better quality streetscaping components such as lighting, furniture, wayfinding, signage, etc.

Potential Condition:

The City could request OLG to impose a condition that requires the GF to be located within 400m (generally a five minute walk) of a planned transit hub or, depending on the location, require the GF to integrate a transit hub within the GF development.

18. ***Have staff investigate possibility of time restrictions on the casino, i.e. opening and closing time – hours of operation; look at By-law to restrict serving of alcohol at gaming tables and slots.***

Response:

Licensing staff has advised that since the OLG is granting the licence for the GF, the City could not control the hours of operation through licensing. Regarding the serving of alcohol, the City is a major commenting body for all liquor license applications within the City, and can request that certain conditions, including restriction of alcohol at gaming tables and slots, be applied to the GF's liquor licence. In order to apply time or alcohol restrictions, the City would need to request the OLG to include these as conditions, as well as request the alcohol restrictions be applied to the liquor licence.

Potential Condition:

The City could request OLG to impose conditions restricting hours of operation and where alcohol can be served.

19. ***If the casino is located in Hamilton proper and not in Flamborough, concerned about providing parking for the casino.***

Response:

The following table outlines the parking requirements for GFs and hotels in the Downtown.

Community/Area	Zone	Required Parking for GF	Required Parking for Hotel
Downtown Hamilton (By-law No. 05-200)	D1, D2, and D3	None	0.6 spaces per guest room

As noted above, there is no parking required in the Zoning By-law for a GF in the Downtown, while hotels require parking at a rate of 0.6 spaces per guest room. A reduced parking requirement in the Downtown is generally based on transit accessibility and existing commercial parking facilities. Regardless of parking requirements, industry/operational needs will influence and direct the level of parking provided.

In this regard, based on information obtained from a City of Toronto Staff Report (i.e. 12 226741 SPS 00 TM), notwithstanding municipal parking requirements, Ontario GFs generally provide parking at a rate of 1 space per slot machine. This industry standard would equate to approximately 1,200 parking spaces for the proposed OLG range of up to 1,200 slot machines.

Although the City's Zoning By-laws establish the minimum parking requirements, should the City wish to require additional parking spaces (over and above the zoning requirements) for a GF, it would need to request OLG to include it as a condition.

Potential Condition:

The City could request OLG to impose a condition that requires a minimum parking requirement over and above the zoning requirements.

20. ***Casino should be responsible to provide 24/7 first response on casino property; want to ensure that with thousands of people on the premises on an on-going basis, that there is quick response.***

Response:

All OLG casinos, including the current facility at Flamboro Downs, provide 24/7 first response on their property. Specific security personnel have advanced training in CPR, and can respond immediately to emergencies on-site until municipal emergency services arrive.

Potential Condition:

The City could request OLG to impose a condition that requires the GF to provide 24/7 first response on their property.

21. ***Capital funds for a centre of excellence for Substance and Gambling Addiction in Hamilton.***

Response:

The City of Hamilton could make this request; however, these funds would need to be absorbed by the potential GF operator, as OLG has clearly indicated the only revenues to be received by the municipality would be from the slot operations. Given that this cost would cut into the operator's revenue, there is a strong possibility that the operator could by-pass the City's gaming zone in favour of another zone/another city that did not impose such a condition.

Potential Condition:

The City could request OLG to impose a condition that requires the GF to provide funds for a centre of excellence for substance and gambling addiction in.

22. ***Given size of casino structures, require LEED Certification on any new facility that is built; will have significant impact on the community.***

Response:

Our research has indicated that there are several GFs in North America that have achieved or are targeting LEED Certification. Recently, Rivers Casino, in Des Plaines, Illinois, has achieved LEED Gold Certification, and is the first GF in the world to achieve this level of certification. There are other GFs in the United States that have also achieved LEED Certification, but not at the Gold level. In Canada, the Brantford GF has received a LEED Silver Certification as part of the \$37.5 M initiative that commenced in the facilities modernization back in 2009, while Casino de Mont Tremblant has also received certification. While LEED Certification should be encouraged, there is a significant cost associated with the construction of a LEED facility, which some GF operators may find cost prohibitive.

Also, the City's *Hamilton's LEEDing the Way Community Improvement Plan* provides financial incentives for LEED certified projects. As per the LEED Grant Program, the City will provide these projects with an annual grant, equivalent up to 75% of the increase in municipal taxes up to five years, once the property has attained official LEED Certification from the Canadian Green Building Council.

Potential Condition:

The City could request OLG to impose a condition that requires the GF proposal to meet, at minimum, the LEED Silver Certification.

23. ***Suggest direction to City Manager to meet with City Managers of other possible host communities and ascertain exactly what each of those municipalities are wanting as a standard for a fee and come to an agreement together.***

Response:

With respect to item 23, and the direction provided to the City Manager to reach out to other possible host communities and ascertain if there is an

appetite to negotiate with the OLG above the standard percentage in municipal contribution agreement, as well as if there is any desire to work collectively and advocate for an increased revenue sharing agreement and to come to a mutual decision, the City Manager consulted with 16 major municipalities that also comprise the Regional CAOs.

Of those 15 municipalities, responses were received from seven jurisdictions. The consensus among most was that while there is a desire to explore such a move, most municipalities have very distinct agreements, and each municipality is in a slightly different position. For example, both Niagara Falls and Windsor operate under an arrangement where they receive an annual flat fee for being a host municipality. Windsor also has an arrangement that sees OLG pay for extra police officers. Niagara Falls has indicated that they have begun to explore some government relations advocacy work already relative to their host agreement. There was a strong indication by both Windsor and Niagara Falls that if there was any opportunity to collectively re-examine the existing agreements, they would be interested in pursuing such.

In summary, while the notion of renegotiation was of interest to those who responded, there was recognition that any formal position would require approval by their respective City Councils.

Condition:

The City could request OLG to impose a condition, which is consistent with other potential host municipalities, requiring the provision of an additional municipal contribution.

7. Economic Impacts Related to a New Gaming Facility (GF) in Hamilton

This Section of Report PED13036 is divided into two (2) separate and distinct sections:

- 1) Staff has provided various scenarios that demonstrate the potential municipal revenue from a Casino in addition to the potential impacts on local employment.
- 2) An overview of both the positive and negative economic impacts associated with a Casino operation.

It should be noted, that this report is not a formal economic impact analysis. Presently, there are too many factors that remain unknown and which would need to be included in a formal economic impact model. Some of these unknowns include the following:

- **Where will the Casino be located?** To date, there has been no decision made as to whether or not City Council would entertain a Casino anywhere other than its current location at Flamboro Downs. The ultimate decision on a location will have a significant impact on determining the assessed value of the property and the potential tax revenue that would be generated. Conversely, the City of Toronto, when conducting their economic impact analysis had specifically identified three potential locations.
- **New Build, Expansion/Retrofit of an Existing Facility?** Depending on which option is pursued the level of investment and potential impacts on construction values and municipal assessment/tax revenue will vary substantially.
- **Type of Casino** - A basic gaming establishment with fewer amenities will have a reduced economic impact compared to an integrated entertainment complex (IEC) that may include hotel accommodations, restaurants, entertainment, retail, etc.
- **How many gaming tables?** The number of tables in a Casino would have an impact on the size of a facility that could be built thereby impacting on construction values and ultimately the assessed value and corresponding tax revenue to the municipality.
- **The Toronto Decision?** Toronto's final location choice could have a large impact on the size of operation that may come to Hamilton. The City of Toronto is actually within two gaming zone areas (C1 and C2) which also includes the Cities of Mississauga, Brampton, Vaughan, and Markham. Within these zones, there will be a gaming licence granted to an operator for up to 5,000 slots. If the City of Toronto decides not to host or is not chosen to host a Casino, then one of the other municipalities within the zone would have the opportunity to host a facility. In this event, if the nearby City of Mississauga was selected then this would likely have an influence of a smaller size Hamilton gaming facility.

Section 1 – Hamilton Casino Scenarios and their Municipal Impact

Research conducted by staff confirms that the only direct annualized impacts derived from a gaming operation and realized by a municipality are confined to the proceeds from the Ontario Lottery and Gaming Corporation (OLG) municipal contribution agreement, new municipal taxes and direct employment. Some of the more tangible indirect economic impacts of a new build casino would include construction employment, development charges, local supply chains, and related spin-off economic activity in the local service sector.

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- **Current Arrangement** – The following analysis illustrates the current Municipal economic impact of the Flamboro Downs operation under the OLG Municipal Contribution Agreement (MCA) which is set to expire on March 31, 2013.

2011	Revenue Share	
Municipal	\$4,445,000	3.7%
Horse Racing	\$24,162,000	20.0%
OLG/Prov	\$92,193,000	76.3%
Total	\$120,800,000	

Source: OLG Annual Report 2010-2011

Current Model

5.0% of first 450 slots and 2.5% of remaining slots.

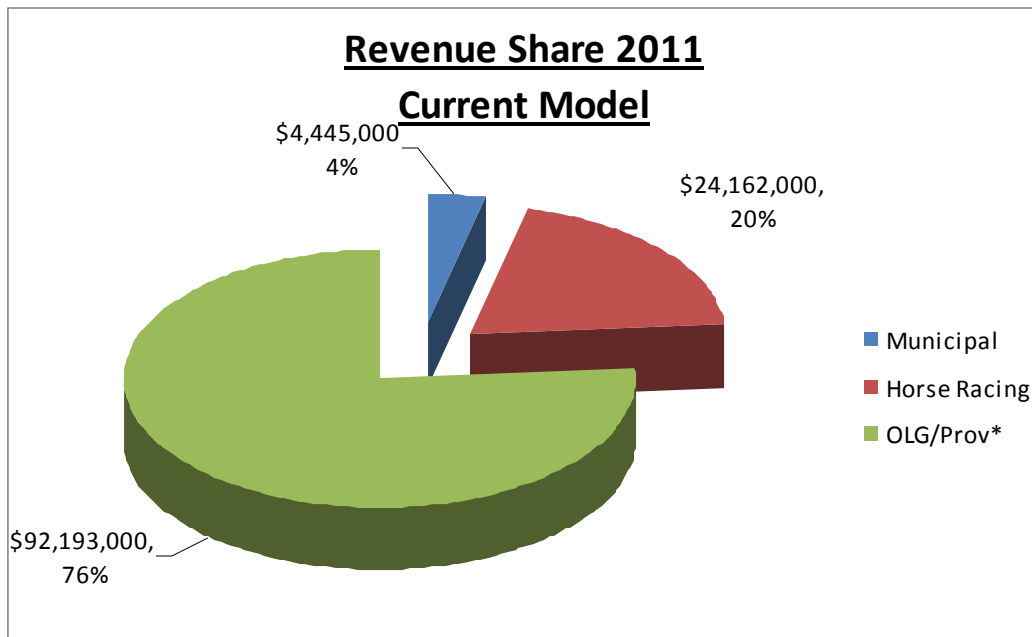
At a total of \$120.8 M in revenue divided by 801 slots, revenue from each slot represents approximately \$150,000/annually.

Municipal Slot Revenue

Current Formula

450 x 5% of revenue + 351 slots x 2.5% of revenues

Total slot revenue = \$4,445,000



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Direct Benefits to Municipality

Revenue Share	\$4,445,000
Property Taxes	\$150,000*
Total Dollars	\$4,595,000
OLG Jobs	225
GCGC-Racing Jobs	176**
Race day jobs (up to)	250
Total Jobs	651

* Flamboro Downs property has been re-assessed resulting in a reduction of over \$600,000 in annual tax revenue to the City of Hamilton. Municipal Property Assessment Corporation's (MPAC's) view is the impending loss of the slots/gambling indicates no one would buy this property for more than the value they have put on it. If this location does become a new full-fledged Casino then MPAC would re-look at the value at that time.

** Flamboro Downs has also indicated that their operations impact over 3,600 indirect jobs within their catchment area.

- **Scenario 1** – The Municipal impact of the Flamboro Downs operation under the new OLG MCA and the Slots at Racetracks Program being terminated. Effective as of April 1, 2013 (with slot operations continuing).

Revenue Share New Model

Municipal	\$4,845,000	4.0%
Horse Racing	\$0	0.0%
OLG/Prov	\$115,115,000	96.0%
Total	\$119,960,000	

New Model

5.25% for the 1st \$65 M, 3.00% on the next \$135 M
2.5% on the next \$300 M and 0.50% on the remainder

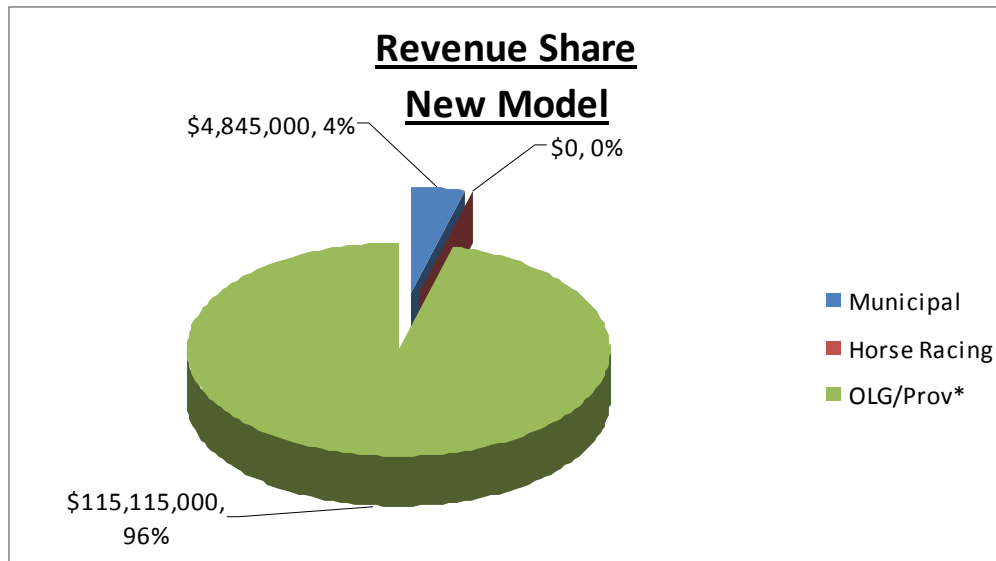
Municipal Slot Revenue

New Formula

5.25% of \$65 M, 3.00% of remaining \$135 M "net" revenue

Estimated Total Slot Revenue = \$4,845,000

Estimated Increase in annual revenue approximately: \$400,000 (Corporate Services Department, November 12, 2012 Report)



Direct Benefits to Municipality

Revenue Share	\$4,845,000
Property Taxes	\$150,000
Total Dollar	\$4,995,000
OLG Jobs	225
GCGC-Racing Jobs	0
Race day jobs (up to)	0
Total Jobs	225

Under the new MCA, total municipal revenues including property taxes increase by \$245,000. Given that the Slots at Racetracks Program will be terminated, 176 direct racing jobs will be lost. The 250 race day jobs will be affected along with 3,600 indirect jobs.

- **Scenario 2** - Impact of the Flamboro Downs operation if gaming facility is not re-instated.

Direct Benefits to Municipality

Revenue Share	\$0.00
Property Taxes	\$150,000
Total Dollar	\$150,000
OLG Jobs	0
GCGC-Racing Jobs	0
Race day jobs (up to)	0
Total Jobs	0

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If there is no more horse racing, the gaming facility is not re-instated and the Casino re-locates out of the Hamilton gaming zone, then the City of Hamilton would receive no revenue from OLG and would only collect \$150,000 in annual property taxes. There is also the loss of 225 OLG jobs if the facility is not re-located within the City of Hamilton gaming zone. Given that the Slots at Racetracks Program will also be terminated, 176 direct racing jobs will disappear along with the 250 race day jobs and an estimated 3,600 indirect jobs.

- **Scenario 3** - Impact of a Casino at a location other than Flamboro Downs with up to 400 extra slots.

OLG has stated that a relocated facility in the core of Hamilton has the potential to increase gaming revenues, which would lead to increased municipal contributions and economic activity. They have also indicated that a relocated facility would be larger than the one currently in Flamborough, and that it could grow current revenues by an estimated 5% or more, depending on private sector operator investments, number of table games, additional amenities, etc.

OLG, in a recent communication with staff, clarified the following:

“Based on our preliminary revenue analysis and allowing for flexibility for enhanced capital investment which may trigger incremental tax assessments, we think the total of \$5-\$7 M as previously communicated is a good planning assumption.”

OLG has projected between 400 to 600 jobs will be created with the new gaming facility. This number excludes any jobs associated with any potential amenities (i.e. hotels, restaurants, etc.)

Direct Benefits to Municipality (OLG Estimates)

Revenue Share and Property Estimate	\$5 – 7 M
Total Dollar	\$5 – 7 M
OLG Jobs	400 – 600
Total Jobs	400 - 600

Assuming that the current 225 employees were picked up by the new gaming facility, the net impact for employment would be 175 to 375 new jobs. OLG has also stated that potential value of construction of a Casino and related amenities could be in the \$100 M to \$200 M range.

Potential Municipal Tax Revenues on a Re-located Casino

Currently, the City does not know the location and/or size of the Casino that may be built. Therefore, it is impossible to calculate the exact municipal tax revenue that would be generated from a new or retrofitted facility.

Staff reviewed a number of OLG operated facilities in order to determine a standard Casino that would approximate the base minimal requirements that OLG is contemplating for Hamilton. Staff decided that the best comparable option was Casino Brantford. The reasoning behind this choice of location was due to the following factors:

Casino Brantford -

- provides both slots and table gaming to its patrons;
- has minimal amenities in terms of retail and/or dining; and,
- is not located in close proximity to a border crossing or resort complex.

Casino Brantford opened in 1999 in a retrofitted 89,000 sq. ft. office building that sits on 8.9 acres in Downtown Brantford. It has 539 slot machines and 55 table games and employs 869 full-time and part-time workers, according to the latest OLG annual report.

Hamilton's Director of Taxation has confirmed that Casino Brantford's assessed value of their property increased to \$144,119,000 after recently investing \$37.5 M into their facility. According to OLG, the building has now achieved a Silver LEED Certification. A Casino assessed at a similar value in Hamilton would generate \$3.4 M in annual commercial taxes for the City based on 2012 tax rates.

The purpose of this example is to provide a point of reference based on a comparable OLG casino. There are many factors that would influence the amount of municipal taxes created by any new development (i.e. location, size of building, size of property, new build vs. retrofit, LEED status, etc.). Clearly, a larger investment in additional amenities would result in a higher assessed value and more taxes.

Wage Rates for Casinos

OLG have provided staff with the following information regarding wage rates at their current operations:

- The average salary including benefits of an OLG employee at a gaming facility is \$50,000;
- Average total compensation, including wages and benefits, for gaming middle management employees is \$60,000 to \$100,000;

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- Average total compensation, including wages and benefits, for gaming floor staff is \$40,000 to \$60,000; and,
- OLG wages are competitive with the resort properties that are already privately operated.

OLG has also provided a breakdown of their typical gaming facility positions. Within each category/department, there would be various roles/positions, some of which are able to accept gratuities:

Category	Hourly Average Rate
Cage & Coin	14.71
Customer Relations	13.77
Food & Beverage	12.48
Slot Operations	16.57
Table Games' Operations	12.97
Security	16.37

Based on the latest OLG annual report the average annual wage for the employees (both full-time and part-time) at Flamboro Downs is \$49,255.61.

OLG-Flamboro Downs Location

Average Wages

Jobs	223
Payroll	\$10,984,000
Average Wage	\$49,255.61

Source: OLG Annual Report 2010-2011

Based on the same OLG Report the average annual wage for the employees (both full-time and part-time) at Casino Brantford is \$45,225.

OLG-Casino Brantford Location

Average Wages

Jobs	869
Payroll	\$39,301,000
Average Wage	\$45,225

Source: OLG Annual Report 2010-2011

Hamilton Gaming Revenue Information

OLG has provided the following information from their Loyalty Program OLG - "Winner's Circle Rewards Membership":

- 30-40 % of customers are active Winner's Circle Reward Members;

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- The number of Hamiltonians who are Winner's Circle Members - 91,000;
- Hamilton Winner's Circle Members spent \$38+ M last year; and,
- Hamilton Winner's Circle Members spent \$30.3 M at Flamboro Downs and \$8.4 M outside of Flamboro Downs.

Hamiltonian Winner's Circle Members Carded Gaming Revenue

<u>Top Gaming Sites</u>	<u>Carded Gaming Revenue</u>
Flamboro	\$30.3 M
Brantford, Mohawk, Woodbine	\$7.4 M
Other OLG Slots and Casinos	\$1.0 M

Winner's Circle Members Carded Gaming Revenue at Flamboro Downs

<u>Patron</u>	<u>Carded Gaming Revenue</u>
Hamiltonians	\$30.3 M
Non-Hamiltonians	\$25.8 M
Total	\$56.1 M

Source: OLG

Section 2: Economic Impacts Related to a Casino

Staff has undertaken a comprehensive literature review, spoken with several associations including the International Economic Development Council in Washington and the International Downtown Association. As well, staff engaged the research division of the Hamilton Public Library to conduct an analysis and a review of the leading research available on the topic. (See Appendix "G.") There are literally hundreds of reports on the impacts of gambling and casinos and this was confirmed by both the social and economic expert panellists that presented at the January 16 and 17, 2013 Hamilton Casino Information Forums.

A common theme referenced in all of the reports was the complexity of measuring the social impacts against the monetary impacts to calculate a "net" benefit. This sentiment was also shared by two members of our Casino Public Forum Panel - Dr. Richardson, City of Hamilton (COH) Medical Officer of Health and Dr. Atif Kubursi of McMaster University. That being said, extensive research and analysis conducted by subject

professionals and academics have been able to determine an overall opinion on the “net benefit” issue.

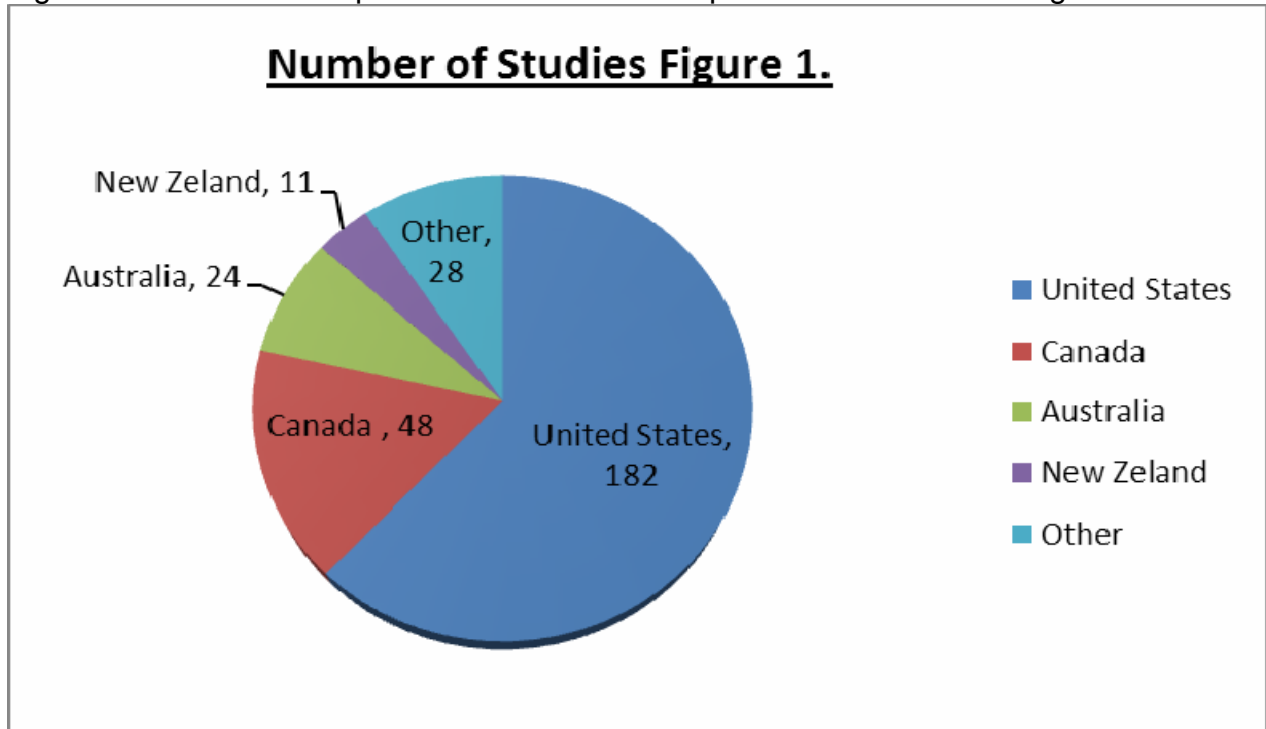
The **Social and Economic Impacts of Gaming: Final Report** (see Appendix “G”) was commissioned by the Canadian Consortium for Gambling Research. The members of this Consortium include: Alberta Gaming Research Institute, Canadian Centre on Substance Abuse, Gaming Policy and Enforcement Branch of British Columbia, Manitoba Gaming Control Commission, Ministère de la Santé et des Services Sociaux du Québec, Gambling Awareness Foundation of Nova Scotia and The Ontario Problem Gambling Research Centre.

After reviewing several reports, staff found this particular report included the majority of studies mentioned from the other reports reviewed. It should also be noted that this Report provides an exhaustive review of 492 studies, of which 293 were empirical. The Social and Economic Impacts of Gaming Report thoroughly vetted the studies identifying and categorizing 51 (empirical studies) to be of “good or excellent” quality. Staff found this report to be the most comprehensive, unbiased, balanced and rigorous of all reports researched. Considering the number of studies identified, the location of the studies and their relevance to Canada, the type of gaming discussed along with a thorough examination of both the social and economic impacts, this report was by far the most comprehensive and relevant.

Study Background (excerpt from “*The Social and Economic Impacts of Gaming*”)

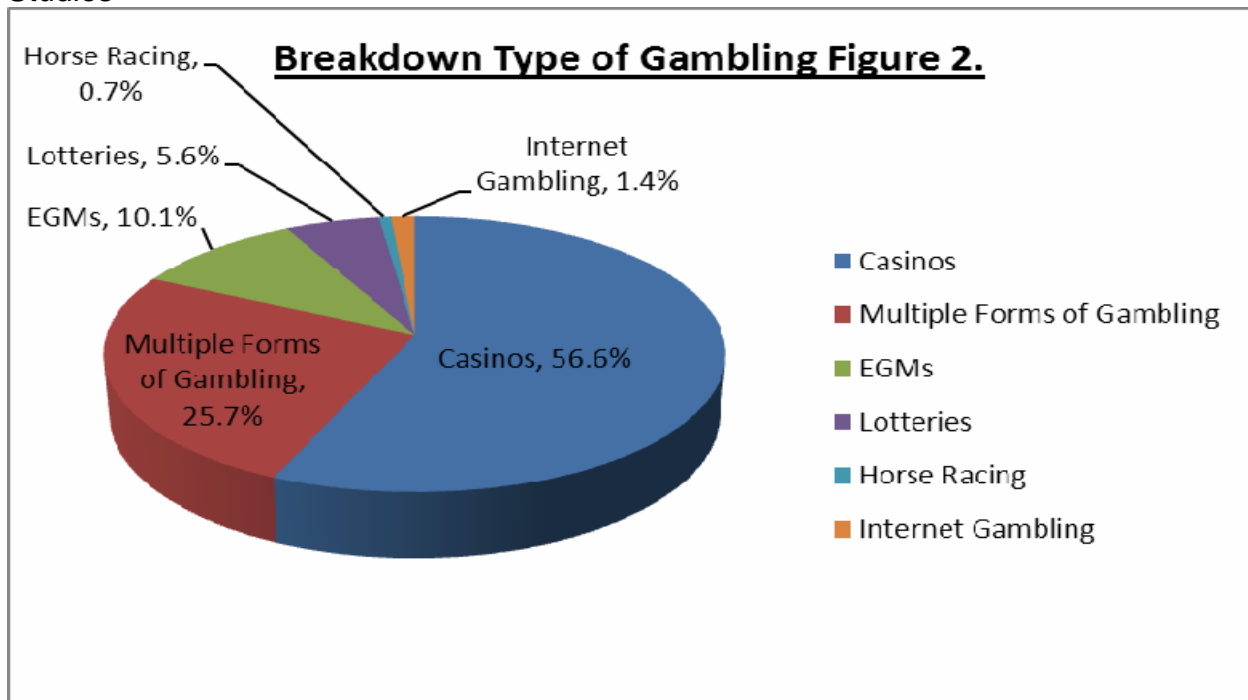
The large majority of the investigations were conducted in North America. This North American focus is important to bear in mind when evaluating the pattern of research findings, as jurisdictions differ in their availability of gambling, revenue distribution models, strength of policy and educational initiatives to prevent problem gambling, baseline unemployment rates, and so on. All of these factors mediate impacts.

Figure 1. Location of Empirical Socioeconomic Impact Studies of Gambling



The socioeconomic impacts of different forms of gambling have not been studied to an equal extent. Rather, the large majority of empirical studies have focused on the impact of casinos. There were no empirical investigations that looked exclusively at bingo, sports betting, raffles, casino table games, or social gambling, and only one study that looked exclusively at instant win tickets.

Figure 2. Type of Gambling that has been the Focus of Empirical Socioeconomic Impact Studies



The following summary table documents the main pattern of findings concerning the economic and social impacts of gambling. The rows within the table provide a listing of the various Economic Impacts (top half of table) and Social Impacts (bottom half of table). Columns indicate whether there was an increase, decrease, change (but no net increase or decrease), or no impact. The numbers in each cell identify an individual study (as listed in the Appendix of the Report), with high quality studies (i.e. - rated good or excellent) bolded.

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CASINOS	Increase	Changes (but no net increase or decrease)	No Impact	Decrease
Government Revenue	8, 32, 52, 63, 64, 70, 78, 89, 110, 133, 147, 149, 207, 209, 214, 220, 245, 250, 267, 268, 278, 306, 308, 351, 364, 376, 389, 403, 408, 409, 419, 435, 440	24, 200, 420	45	25, 352
Public Services	8, 22, 32, 52, 64, 78, 94, 110, 131, 133, 245, 250, 267, 317, 425, 435		205	206
Regulatory Costs	8, 351			
Infrastructure Value	8, 22, 32, 52, 62, 110, 133, 188, 278, 396, 468			
Infrastructure Costs	8, 32, 52, 110, 206, 220, 245, 408		45, 149	
Business Starts	32, 133, 139, 194, 207	220		
Business Failures	8, 32, 139, 408	52, 220, 408		166
Business Revenue	22, 32, 64, 71, 83, 97, 110, 133, 188, 194, 245, 250, 308, 389, 396, 419, 425, 440	25, 62, 182, 209, 220, 316	149, 207, 409, 457	8, 52, 200, 357, 382
Personal Income	27, 70, 94, 161, 188, 233, 282, 419, 431		467, 468	306
Property Values	8, 45, 52, 220, 409, 480		149, 344, 361, 467, 468	161
Problem Gambling & Related Indices	9, 41, 45, 54, 82, 131, 154, 166, 167, 215, 216, 289, 308, 323, 343, 351, 369, 396, 407, 425, 430, 466		54, 55, 77, 103, 168, 215, 240, 289, 316, 322, 377	
Crime	52, 98, 102, 131, 146, 156, 179, 189, 220, 349, 396, 407, 410, 419, 431	17, 362	8, 19, 45, 102, 232, 240, 245, 288, 316, 344, 405, 487	354
Employment	8, 22, 32, 52, 64, 70, 71, 78, 83, 94, 97, 110, 131, 133, 138, 139, 149, 152, 153, 161, 188, 194, 209, 233, 245, 267, 278, 292, 306, 308, 316, 324, 364, 396, 419, 431, 440, 467, 468	200	45, 62, 173, 181, 182, 240, 282, 361, 468	
Socioeconomic Inequality				
Leisure Activity	78, 351	52, 389		
Attitudes	19, 20, 29, 79, 159, 217, 258, 320, 324, 368, 407	224, 255, 257, 268, 269, 311	67, 210, 406	82, 207, 211, 216, 369, 442
Quality of Life/Public Health/Social Capital/Values	94, 110, 131, 271, 303, 324, 431	133, 138, 336, 376	205, 208, 321, 354, 467	184, 311

Economic Impacts

The following are relevant excerpts that staff wanted Council to take note of taken verbatim from the report that address and summarize the overall findings of positive and negative economic impacts from all of the studies reviewed.

Business Starts, Business Failures, and Business Revenue

The introduction of gambling often has beneficial impacts on other businesses in the local area in terms of increased revenue, business starts, and overall employment *when a significant portion of its patron base is from outside the area*. This is particularly true when the number of visitors is large relative to the local population, when the area was previously economically impoverished, and when visitation requires overnight stays. Hospitality services tend to be the industry sector that experiences the most economic benefits.

However, when the patron base is *from the local area* it is more likely there will be negative impacts on other local businesses.

In either case, regardless of patron origin, any benefits to gambling venues, other businesses, or any specific geographic area usually occurs at the expense of other business sectors and/or geographic areas.

Property Values

A new gambling venue may increase the value of adjacent property to investors who may desire to build complementary businesses (e.g., hotels, restaurants).

However, a new gambling venue might also increase noise, traffic, and parking difficulties and/or attract undesirable clientele to the neighbourhood. These factors could negatively affect property value.

Personal Income

Changes in average personal income are another indirect indicator of the positive or negative economic impacts of gambling. Income changes could occur because gambling brings in new money, acts as an economic stimulus, replaces existing jobs with lower wage jobs, or interferes with economic growth. Relatively few studies have looked at this variable.

In general, when there is significantly increased revenue into a community there will often be widespread economic benefits, including an increase in personal income. The distribution and disposition of gambling revenues in the respective sites will serve to mediate this variable. Here again, however, this monetary influx is presumably offset by

monetary outflows from other regions. Studies that have looked at personal income on a wider geographic basis have not found there to be significant changes subsequent to gambling introduction.

Infrastructure Value and Costs

The construction of a new gambling venue (e.g., casino) adds to the physical assets and wealth of the local community. This is especially true if this new venue is associated with infrastructure upgrades (e.g., roads, electrical, sewage) to accommodate the new facility, and if the new building and infrastructure upgrades are financed by out-of-jurisdiction investors. Increased infrastructure value can also occur when a new gambling venue stimulates the construction of complementary businesses (e.g., hotels, restaurants) to take advantage of the increased patronage of the area.

However, *service* upgrades that are needed (police, fire services, public transportation) do not increase the physical assets of the community and the costs of these enhanced services are commonly borne by government. Furthermore, the *maintenance* of physical infrastructure (e.g., roads, utilities, sewage) is also usually a government responsibility, and a new gambling venue puts added stress on this physical infrastructure because of the increased patronage of the area.

Public Services

Gambling revenue usually improves public services provided by government and/or charity/community groups.

However, it is also sometimes the case that government gambling revenue is used to avoid raising taxes, reduce government debt, or to maintain rather than enhance existing services. It is also the case that new forms of government and/or privately delivered gambling (e.g., casinos) can negatively impact 'public services' by their direct competition with and negative impact on traditional charitable gambling revenue.

Conclusions and Summary:

The purpose of this part of the Report was to fulfill Council's direction to provide information on the potential economic impacts of Casino operations. After an extensive literature review, consultation with local experts, and detailed examination on the generally accepted most comprehensive study on the subject, there is no consensus on whether the economic impacts negate the social impacts of a Casino. What is clearly evident is that there are a large number of variables (many of which are dynamic) that must be considered and evaluated in any analysis. If detailed information can be provided on a potential local casino development, there does exist a proven econometric model developed by McMaster Professor Dr. Atif Kibursi on the

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impact/benefits of a Casino that can be employed at no cost to provide Council with specific dollar figures.

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Telephone Interview: Anne C. Sesler, Senior Consultant with Government Strategies Group LLC. January 17, 2013.

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Telephone Interview: John Frabotta, Director of Economic Development, City of Brantford, January 25, 2013.

Appendices to Report PED13036:

Appendix "A" to Report PED13036 – Gaming Facility Location Maps

Appendix "B" to Report PED13036 – Downtown Building Heights Illustration

Appendix "C" to Report PED13036 – Downtown Land Use Strategy

Appendix "D" to Report PED13036 – Correspondence from Ontario Restaurant Motel and Hotel Association

Appendix "E" to Report PED13036 – Urban Design Principle

Appendix "F" to Report PED13036 – Downtown Casino Benefits Analysis

Appendix "G" to Report PED13036 – Social and Economic Impacts of Gaming: Final Report

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