
CITY OF KELOWNA

MEMORANDUM

Date: June 17, 2005

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL05-0010

OWNER: Grand Okanagan
Resort Ltd.

AT: 1300 Water Street

APPLICANT: Lake City Casino Ltd.

PURPOSE: THE APPLICANT IS SEEKING COUNCIL ENSORSEMENT
FOR A LIQUOR PRIMARY LICENSE AT LAKE CITY
CASINO WITH PROPOSED HOURS OF OPERATION ARE
10AM TO 2AM, 7 DAYS PER WEEK

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council not support a Liquor Primary License with a person capacity of 600 and hours of operation of 10am-2am daily on Lot B, DL 139, 3454, 4082, ODYD, Plan KAP47378 except plans KAP73543 & KAP76701; proposed by Lake City Casino for 1300 Water Street;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Branch in Victoria;

2.0 SUMMARY

The applicant (Lake City Casino) is seeking Council support for a liquor primary license. The casino currently offers 312 slot machines, 10 gaming tables, a lottery kiosk, guest service kiosk, and a 24 seat concession area offering snacks and beverages. The casino is seeking a person capacity of 600 for their liquor primary license and hours of operation from 10:00am to 2:00am daily.

3.2 Site Context

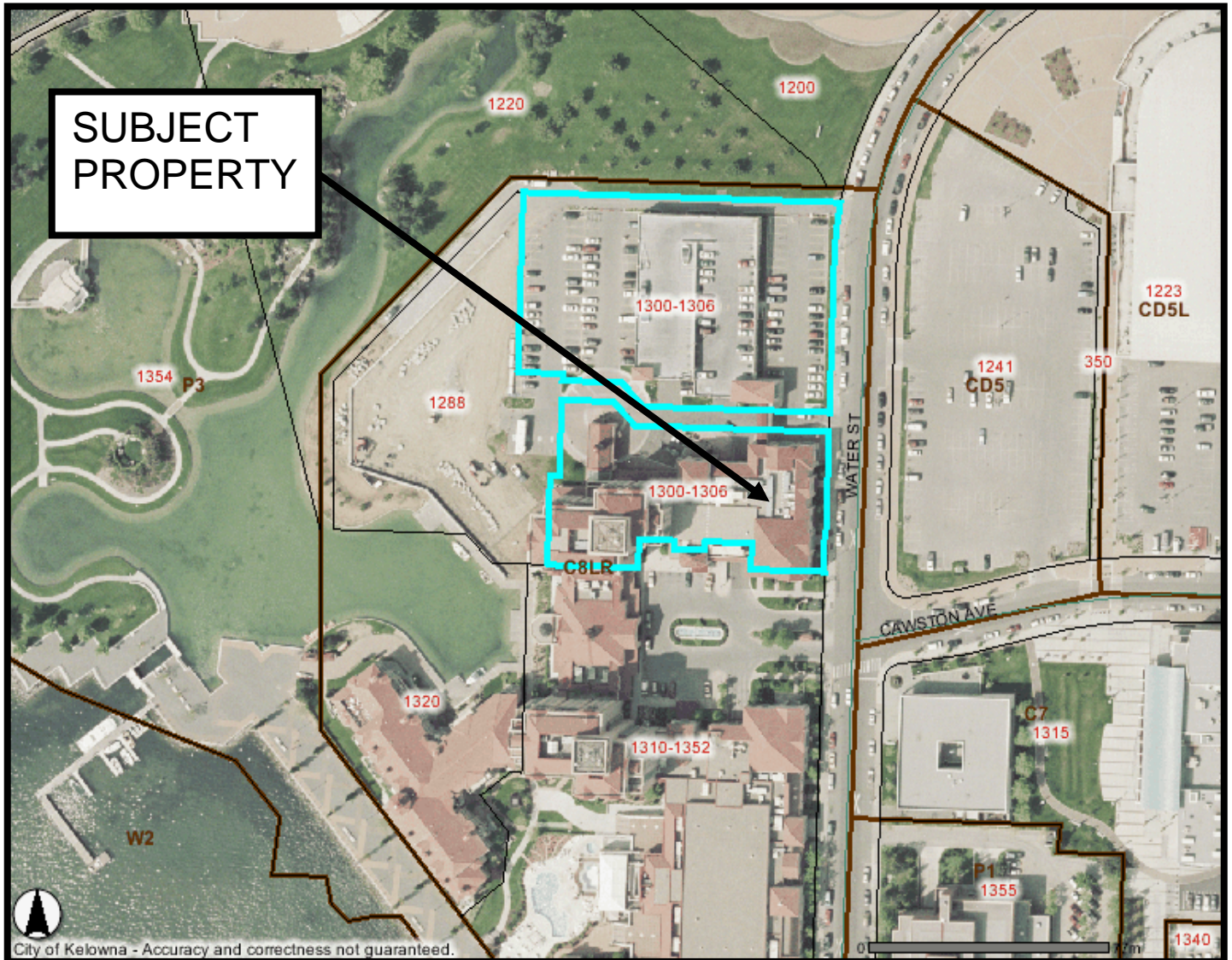
The subject property is located at the Grant Okanagan Lakefront Resort on the west side of Water Street between Smith Avenue and Cawston Avenue.

Adjacent zones and uses are:

North - C8 – Convention Hotel Commercial – Grand Okanagan Resort
East - C7 – Central Business Commercial – Art Gallery
South - P1 – Major Institutional – Seniors Centre and Yacht Club
West - Okanagan Lake

3.3 Site Location Map

Subject Property: 1300 Water Street



3.4 Current Liquor Licensing Policy

3.4.1 Mayor's Entertainment District Task Force Report (MEDTF)

The Mayor's Entertainment District Task Report (Council Policy #315) presents the following recommendations which conflict with this liquor license application:

- *No new, expanded or relocated Liquor Primary establishments with a capacity greater than 500 shall be permitted.*

The person capacity for the proposed liquor primary license is 600.

- *Any new, expanded or relocated Liquor Primary establishment with a person capacity of 350 persons or more shall not be located closer than 300 metres (shortest travel distance) to another liquor primary establishment with a person capacity between 150 and 350; and not abutting or adjacent to another Liquor Primary establishment with a person capacity of less than 150 persons.*

Lake City Casino's is within 300m of three liquor primary licensed establishments; two of which has a person capacity greater than 350 (Flashback's and Prospera Place).

3.4.2 Liquor Control and Licensing Branch Criteria

(a) The location of the establishment:

The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated.

(b) The proximity of the establishment to other social or recreational facilities and public buildings:

The only nearby social, recreational and public buildings do not conflict with the operation of the existing casino venue. The proposed location is across the street from the Art Gallery, Rotary Centre for the Performing Art and Prospera Place. The proximity of the proposed liquor primary license is not considered to be a concern within the context of the existing facilities.

(c) The person capacity and hours of liquor service of the establishment.

The person capacity of 600 with hours of 10:00a.m. to 2:00 a.m. daily are not consistent with policy for liquor primary licensed establishments contained in the Mayor's Entertainment District Task Force Report. The RCMP have indicated that the proposed liquor primary license capacity and hours of operation are not a concern.

(d) The number and market focus or clientele of liquor-primary licensed establishments within a reasonable distance of the proposed location:

The existing establishments are large public house establishments that focus on late evening and late night entertainment for the 19-40 demographic.

The proposed liquor licensing for the Lake City Casino will serve their more varied market.

(e) Traffic, noise, parking and zoning:

The establishment is not expected to negatively affect traffic patterns and noise is not expected to be an issue because the casino is not located in a highly populated residential area.

As no increase in the level of noise was noted when the casino opened at the Grand Okanagan Lakefront Resort, it is not anticipated that any additional noise will be generated by the casino with the implementation of liquor service. It is the policy of the Lake City Casino and the BCLC for BC Casino's to deny entry to the casino to any person displaying signs of intoxication. The casino does not permit any person displaying signs of intoxication to remain in the casino or participate in gaming activities.

(f) Population, population density and population trends:

Kelowna has a population of approximately 105,000 persons and has a growth rate of 4.3%.

(g) Relevant socio-economic information:

Staff do not consider that socio-economic information is relevant to this application.

(h) The impact on the community if the application is approved:

In order for Lake City Casinos to remain a competitive destination casino in a regional context and for the tourist market, staff feel that the service of liquor as an added amenity is very important. Kelowna City Council approved a liquor license for Bingo Kelowna in 2004 with a capacity of 425 persons.

Potential negative impacts may include problem gaming as a result of intoxication and intoxicated patrons leaving at the wheel of an automobile.

4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following comments have been submitted:

4.1. Inspection Services Department

No concerns

4.2. RCMP

No concerns.

4.3. Fire Department

No concerns.

4.4. Public Health Inspector

No objection to liquor license application.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has concerns with the proposed Liquor License application. The application is not consistent with policy adopted by the Mayor's Entertainment District Task Force with regard to capacity and location. Having noted the relevant policy, staff are of the opinion that this policy was created to address liquor primary establishments where the consumption of liquor is the primary focus (such as pubs and night clubs) which is not the case with this application. As noted in the LCLB criteria section of this report, the casino has made the case that the service of liquor will help the establishment remain competitive in the gaming industry as a destination for locals and tourists. Staff agree with this argument and must also point out that Council approved a liquor primary license for Bingo Kelowna with a capacity of 425.

Due to the current policy staff cannot support this liquor license application. Staff would, however, support the application if the capacity was revised for consistency with the applicable policy. The applicable policy would limit the person capacity of the liquor primary license to 150 due to its proximity to other liquor primary establishments with person capacities greater than 150.

Should Council choose to support the application as submitted, an alternate recommendation consistent with the original application is provided below.

6.0 ALTERNATE RECOMMENDATION

THAT Council support a Liquor Primary License with a person capacity of 600 and hours of operation of 10am-2am daily on Lot 1, Plan 73542; proposed by Lake City Casino for 1300 Water Street;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Branch in Victoria;

Andrew Bruce
Development Services Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Corporate Services

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Floor Plan