CITY OF KELOWNA

MEMORANDUM

DATE: FEBRUARY 8, 2007

TO: CITY MANAGER

FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. LL05-0010 OWNER: Grand Okanagan

(follow-up) Resort Ltd.

AT: 1300 Water Street APPLICANT: Lake City Casino Ltd.

PURPOSE: THE APPLICANT IS SEEKING COUNCIL'S PERMANENT

ENDORSEMENT 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 <u>RECOMMENDATION</u>

THAT Council renew its endorsement for a Liquor Primary License at Lake City Casino with a person capacity of 600 and hours of operation of 10am-2am daily on LOT B DISTRICT LOTS 139, 3454 AND 4082, OSOYOOS DIVISION YALE DISTRICT PLAN KAP47378 EXCEPT PLANS KAP73543 AND KAP76701 at 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/BACKGROUND

The applicant (Lake City Casino) is seeking Council's endorsement for a liquor primary license. In the fall of 2005, Council voted to support a liquor primary license for a one year trial period at Lake City Casino. Council also asked that the liquor license be tied to the gaming 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. Council previously supported a liquor license capacity of 600 persons with 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:

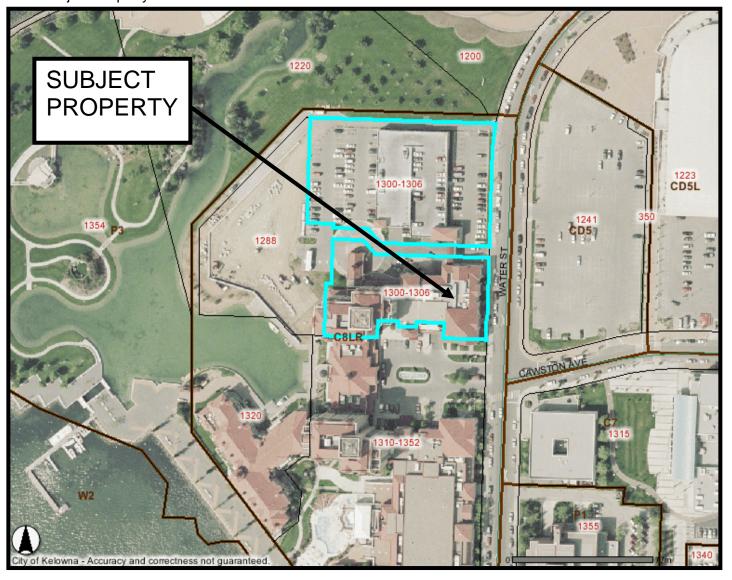
North - C8 – Convention Hotel Commercial – Grand Okanagan Resort East - C7 – Central Business Commercial – Art Gallery

South - P1 - Major Institutional - Seniors Centre and Yacht Club

West - Okanagan Lake

3.3 Site Location Map

Subject Property: 1300 Water Street



3.4 <u>Current Liquor Licensing Policy</u>

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).

4.0 <u>TECHNICAL COMMENTS</u>

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

4.1. <u>RCMP</u>

No concerns.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

Given its inconsistency with existing policy for liquor licensing, staff did not support the original Liquor License application. Although staff did not support this original request, it was noted that 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). During the application process, Lake City Casino 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. Since Council's original endorsement of this liquor license, neither City Staff, nor the RCMP have received any complaints directly related to liquor service at the Lake City Casino and therefore staff have no concerns with Council's permanent support for this license.

Shelley Gambacort Acting Manager of Development Services
Approved for inclusion
Mary Pynenburg, MRAIC MCIP Director of Planning & Development Services
MP/SG/rs Attach