

May 25, 2017

Job # 6196359-032

Edgewater Casino ULC
220 – 858 Beatty Street
Vancouver, BC V6B 1C1
Email: cboynak@parqvancouver.com

Dear Mr. Chad Boynak,

**Re: Revised Decision of Site and Community Assessment (SCA)
Application for Transfer of Location of Liquor Primary Licence # 302500
Establishment Name: Edgewater Casino
Establishment Address: 760 Pacific Boulevard in Vancouver
Proposed Establishment Name: Parq Casino
Proposed Establishment Address: Level 2 & 3 at 39 Smithe Street in Vancouver
SCA Expiry Date: November 25, 2017**

Introduction

The applicant, Edgewater Casino ULC, is applying to transfer the location of their LP licence from 760 Pacific Boulevard to 39 Smithe Street in Vancouver. The proposed location is a newly constructed hotel and casino resort. The casino will operate on the second and third floors of the new building. The new casino will include larger gaming areas, three eating areas and one patio with no change to the current hours of liquor service.

The applicant has met the eligibility and suitability requirements of the *Liquor Control and Licensing Act* (the *Act*), and is now proceeding to the Site and Community Assessment Stage which requires local government input. The Liquor Control and Licensing Branch (the Branch) provided an application summary report to the City of Vancouver (the City) for consideration by Council. Council has considered the liquor primary licence application and provided the Branch with a resolution. The applicant is now eligible for consideration of site and community approval.

The Issues

- Whether the Site and Community Assessment (SCA) criteria have been applied;
- Whether to grant SCA approval;
- Whether issuance of a manufacturer lounge endorsement would be contrary to the public interest.

Factors To Be Considered

- Consideration of the following statutory criteria:
 - a) The location, person capacity and hours of service for the liquor primary area;
- Provide a resolution with comments on the following statutory criteria:
 - a) The impact of noise on nearby residents.

**Liquor Control and
Licensing Branch**

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4th Floor, 3350 Douglas Street
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- b) The impact on the community if the application is approved.
- c) The view of residents and a description of the method used to gather views.
- d) The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.

Relevant Legislation and Policy

I have reviewed the relevant sections of the *Act*, *Liquor Control and Licensing Regulations (the Regulations)*, and Branch policies in considering the subject application.

Analysis and Decision

I have reviewed the liquor primary licence application material including: information provided by the applicant, the City of Vancouver's Staff Report (the Report) dated September 23, 2016 and the City's Council Decision (the Resolution) dated November 21, 2016. Based on this review, I am satisfied that:

- Council considered the required statutory criteria and provided comment and recommendations on the application within the prescribed timeframe;
- Council has approved 5000 persons, with the patio capacity is taken from inside, for the casino area on two floors;
- Council has determined the patio must be vacated by 11 pm daily; and
- Council and City staff has considered the views of local residents and businesses.

City staff ensured this liquor primary application was advertised by circulating a public notice to 2075 nearby property owners and posting three site signs. City staff received 149 comments supporting the application however only 5 comments were from individuals living within the notification area. City staff also received 6 comments opposing the application however only 2 comments were from individuals living within the notification area.

Conclusion

Pursuant to the *Liquor Control and Licensing Regulation (the Regulation)* and policy, it is within the authority of the City of Vancouver to manage the public input process for liquor primary applications. Based on the information before me, I am satisfied that a majority of residents do not oppose a liquor primary licence at the proposed site.

I have taken into consideration that the Resolution passed by the Council supports the issuance of the liquor primary licence with specific hours and capacity. I conclude that Council has complied with Section 38 of the *Act* and Section 71(1) and 71(9) of the *Regulations*.

I have determined that granting a liquor primary licence at the proposed site would not be contrary to the public interest. I am therefore granting Site and Community Approval for the relocation of LP # 302500 to 39 Smithe Street in Vancouver with the following terms and conditions

Terms and Conditions of Liquor Primary Licence:

- Maximum person capacity (patrons plus staff) of 5,000 persons;
- Hours of liquor service are 9:00 AM to 2:00 AM, Sunday to Thursday and 9:00 AM to 3:00 AM, Friday and Saturday;
- This liquor licence is only in effect when operating as a gaming facility; and
- Minors are not permitted in the licensed establishment.
- A reasonable variety of hot or cold snacks and non-alcoholic beverages must be available at reasonable prices at all times;
- The patio must be vacated by 11 pm daily; and
- No entertainment or music is permitted on the patio.

Plans Approval

This approval allows the applicant to proceed with development of floor plans for the proposed establishment.

In accordance with the *Regulations*, prior to issuing a licence, the general manager must set the person capacity. This capacity must be equal to the occupant load stamp on the floor plans provided from the local government or officials designated by the local government and correspond with the person capacity as approved above. This figure includes both patrons and staff. The definition of the occupant load is as follows:

“Occupant Load” means the least number of persons allowed in an establishment under

- 1) the Provincial building regulations,
- 2) the Fire Services Act and British Columbia Fire Code Regulation, and
- 3) any other safety requirements enacted, made, or established by the Local Government or first nation for the area in which the establishment is located.

A detailed floor plan with an occupant stamp from Vancouver Fire Services was received on March 29, 2017. The plan(s) will be reviewed to ensure compliance with the Regulations and policy. If all is in order, one set of plans will be returned stamped "Approved in Principle" along with further instructions on the next step in the licensing process. The applicant is cautioned to not proceed until the plans have been approved by this Branch.

Terms of Site and Community Assessment (SCA) Approval

This approval will expire six months from the date of this letter on November 25, 2017. A written request for extension of this approval will only be considered if received no later than 30 days prior to the expiry of the SCA.

An extension request should be accompanied by evidence demonstrating that the delay is beyond the control of the applicant. Where a “third party” is responsible for the delay, a letter from the third party outlining the current status and schedule for completion should accompany the request for extension.

If the applicant fails to request an extension within the permitted time frame, this application will be viewed as terminated on that day. The request must satisfy the Branch that the need for an extension is reasonable and that the delay is not directly attributable to the applicant.

This approval is personal to the applicant and cannot be sold or transferred without the prior approval of the General Manager.

Yours sincerely,



Chandra Morrison
Senior Licensing Analyst
Liquor Control & Licensing Branch

cc: Christa Montpetit, Consultant
Lucia Cumerlato, City of Vancouver
John Orr, Liquor Inspector



June 23, 2017

Job # 6196359-032

Edgewater Casino ULC
220 – 858 Beatty Street
Vancouver, BC V6B 1C1
Email: cboynak@parqvancouver.com

Dear Mr. Chad Boynak,

**Re: Revised Decision of Approval in Principle (AIP) – Floor Plan
Application for Transfer of Location of Liquor Primary Licence # 302500
Establishment Name: Edgewater Casino
Establishment Address: 760 Pacific Boulevard in Vancouver
Proposed Establishment Name: Parq Casino
Proposed Establishment Address: Levels 2 & 3 at 39 Smithe Street in Vancouver
AIP Expiry Date: December 31, 2017**

The applicant, Edgewater Casino ULC, has applied to transfer the location of their LP licence from 760 Pacific Boulevard to 39 Smithe Street in Vancouver. The applicant received site and community assessment approval on May 25, 2017 and is now requesting Approval in Principle for their floor plan.

It has been determined that the proposed establishment has a total occupant load of 5,000 persons. The person capacity of the proposed licensed areas must be equal to the occupant load defined as follows:

the least number of persons allowed in an establishment under
(a) the Provincial building regulations,
(b) the Fire Services Act and British Columbia Fire Code Regulation, and
(c) any other safety requirements enacted, made or established by the local government or First Nation for the area in which the establishment is located.

I have reviewed the submitted floor plans for compliance with regulation and policy specific to a liquor primary licence. Enclosed is one copy of the plan which has been stamped "Approved In Principle". The proposed licence areas (interior and patio) are highlighted in yellow and will be confirmed by the Liquor Inspector during the final inspection.

Once confirmed, the proposed licensed areas will be 'red-lined' and the approved floor plans will become an official component of the licence. This approval in principle allows the applicant to proceed with construction/renovations, but does not imply final approval.

This approval includes the following considerations and requirements:

- The licensee and the licensed establishment shall, at all times, comply with the regulations under the *Fire Services Act*;

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- Staff Only areas are **not** included in the red-lined area;
- Revised Maximum **PERSON** capacity (patrons plus staff) is 5000 persons as follows:
 - Person01, Interior Level 2 = 2500 persons
 - Person02, Interior Level 3 = 2500 persons
 - Patio1, Level 3 = 35 persons (taken from Person02)
- Patrons are permitted to take their drinks into the washrooms attached to the service area provided the licensee adequately supervises patron activity inside the washrooms with frequent checks for problem activities;
- Minors are not permitted in the licensed establishment;
- A reasonable variety of hot or cold food and non-alcoholic beverages must be available at reasonable prices during all hours of liquor service;
- A clear line of sight must be maintained from the service bar to all parts of the establishment. This can also be achieved by the use of surveillance devices such as mirrors or video monitors;
- Signage must be posted at each exit, marked with an **X** on the floor plan, stating "No Liquor Beyond This Point".
- Signage should also be posted to identify "Staff Only Areas". The Liquor Inspector will let you know if all signs are adequate at the time of final inspection;
- A fixed and immovable physical separation must be maintained between the liquor primary licensed areas and all neighbouring unlicensed areas;
- You have advised me that the patio is directly abutting the lounge area with a glass door that connects the patio to the interior licensed area;
- You have confirmed that the patio area is enclosed with a glass panel fence;
- Patrons are permitted to carry their drinks between patio and the interior lounge provided the approved person capacity for each licensed area is not exceeded;
- The patio must comply with health and fire regulations;
- Staff or contractors providing door security in licensed establishments are required to be licensed under the Security Services Act. For more information, contact the Ministry of Public Safety and Solicitor General at [Security Services](#); and
- Use, renewal and transfer of licence, is subject to terms and conditions specified in all approval letters (SCA, and plans) continuing to be satisfied.

Serving it Right (SIR)

The *Serving It Right* Program is administered by go2hr, BC's tourism industry human resources association. Participants learn about the effects of alcohol, techniques for preventing over-consumption and for dealing with intoxicated people, and their legal rights, responsibilities and liabilities. Information on how to obtain SIR training and certification is available by:

Telephone: 604-633-9798 Email: info@servingitright.com Website: www.servingitright.com

All licensees, managers, and servers in all liquor primaries, including unpaid managers and servers in an LP club and aircraft licensees, managers, and servers are required to have SIR certificate. New SIR certificates will be issued with an expiry date, and will be valid for 5 years.

Existing SIR certificates (with no expiry date on them) must be renewed by September 15, 2020.

Revised Final Inspection Requirements

Please contact Liquor Inspector John Orr by telephone number (604) 775-0059 or email john.orr@gov.bc.ca to arrange for a final inspection. You may only schedule a final inspection once construction/renovations are complete and you are ready to open for business. Please note that an additional fee will be charged to reschedule a final inspection **if you are not ready** when the Inspector attends your establishment.

Chad Boynak (General Manager) must attend the final inspection of the premises. You will need to have the "approved in principle" floor plan, attached to this letter, available for the Liquor Inspectors' review and confirmation.

The Inspector will:

- Inspect the premises to ensure the physical layout matches the approved floor plan and complies with the terms and conditions of this letter;
- Inspector will take photographs of the proposed licensed areas and other areas of the establishment;
- Inspector will verify the patio fencing is adequate for maintaining occupant load;
- Provide Inspector with copies of the SIR certificates for those individuals who are required to be certified PRIOR to licensing (Inspector will forward to the Branch);
- He will confirm that all signage is adequate and placement is appropriate; and
- He will confirm the proposed establishment name is "Parq Casino". There is no extra cost should you require an establishment name change at this time. However, if you request a name change after the licence is issued, an application and fee will be required.

The approved 8 ½ X 11 floor plan will be forwarded to our Victoria office for validation and one copy will be returned to you to be kept with your new liquor licence if approved. The Inspector will advise you of anything else that may be required.

This approval will expire on December 31, 2017. A written request for extension to this approval will only be considered if received no later than 10 days prior to the expiry of the AIP. If the applicant fails to request an extension within the permitted time frame, this application will be viewed as terminated on that day.

If you have any questions, please contact me at (250) 952-5770 or by email at chandra.morrison@gov.bc.ca

Yours truly,



Chandra Morrison
Senior Licensing Analyst
Liquor Control and Licensing Branch

Enclosure(s)

CC: Christa Montpetit, Consultant
Lucia Cumerlato, City of Vancouver
John Orr, Liquor Inspector