

ITEM 24
MANAGER'S REPORT NO. 55
COUNCIL MEETING 89/09/05

RE: CASINOS AND BINGO HALLS

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1989 August 30
FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: 17.814
SUBJECT: CASINOS AND BINGO HALLS

PURPOSE: To propose that the Zoning Bylaw be amended to include casinos and bingo halls as permitted uses in the C3 zoning district when designated on a comprehensive development plan, subject to the provisions of the CD (Comprehensive Development) District.

RECOMMENDATIONS:

1. THAT the Municipal Solicitor be authorized to prepare amendments to the Burnaby Zoning Bylaw 1965 to include a definition of gaming facilities, and to add gaming facilities as a permitted use in the C3 Zoning District when designated on a comprehensive development plan, subject to the provisions of the CD (Comprehensive Development) District, as further described in section 4.2 of this report.
2. THAT the text amendments be advanced to First Reading on 1989 October 02 and to a Public Hearing on 1989 October 24.
3. THAT a copy of this report be forwarded to the B.C. Gaming Commission, 848 Courtnsey Street, Victoria, B.C. V8W 1C4

R E P O R T

1.0 BACKGROUND

Between 1988 November and 1989 April Council dealt with a number of reports regarding the proposed relocation of a casino in Metro-town. During the discussions, Council expressed concern that casinos are presently permitted as an outright use in C2, C3 and C4 commercial zoning districts.

A special meeting of Council and staff was held on 1989 March 29 to discuss social planning issues in Metrotown. The issue of the location of casinos was addressed at this meeting. Staff presented a number of alternatives which would allow the Municipality to have greater control over the location of future casinos.

This report reviews the alternatives and proposes a strategy for dealing with the future development of gaming facilities in Burnaby.

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2.0 DEFINITIONS

While the issue of gaming establishments in Burnaby has related primarily to casinos, the concerns expressed by Council regarding casinos may also apply to bingo halls. In the Report on the Status of Gaming in British Columbia (January 1988), the B.C. Gaming Commission expressed concern over the increasing popularity of bingo, the large amount of revenue generated annually, and the changing profile of both the typical bingo player and the bingo establishments. Given Council's concerns over the potential social impacts of gaming, staff therefore recommend that the number and location of future bingo halls also be addressed.

Proposed regulations should apply only to facilities in which the primary purpose is the provision of bingo or casino games. Churches and other buildings in which bingo is occasionally played or in which casinos are occasionally held would not be affected.

Casinos and bingo halls are presently considered as 'public assembly' use in the Zoning Bylaw. It is recommended that staff develop definitions for both casinos and bingo halls to be incorporated into the Zoning Bylaw. If specific definitions are developed for such facilities, they will no longer be permitted as a public assembly use. In this report, the term 'gaming facilities' is used to encompass both casinos and bingo halls.

3.0 GOALS AND OBJECTIVES

At the previously mentioned 'Social Planning in Metrotown' meeting, an indication was given that Council would be prepared to consider future gaming facilities in the Municipality, but did not want an 'open door' policy. A mechanism is therefore required that will provide Council with an opportunity to influence the location of future gaming facilities while not prohibiting all development of these facilities.

To assist with consideration of appropriate locations for gaming facilities, staff felt it necessary to determine Municipal goals and objectives regarding these facilities. Goals and objectives regarding casinos in Metrotown were presented to Council at the Social Planning in Metrotown meeting. They have been modified to reflect the location of gaming facilities on a Municipal wide basis, as follows:

GOAL #1

To accommodate the establishment of limited opportunities for gaming in Burnaby, as long as deemed appropriate.

Objectives:

- 1.1 To accommodate the appropriate locations for gaming facilities in Burnaby which would provide revenue opportunities for non-profit agencies.



GOAL #2

To ensure that gaming facilities do not negatively affect the quality of life of people living in, working in, and visiting Burnaby.

Objectives:

- 2.1 To minimize the conflict between gaming facilities and family oriented entertainment facilities.
- 2.2 To ensure that the physical design of gaming facilities is compatible with adjacent uses.
- 2.3 To ensure that crime prevention principles are considered in the locations and designs of gaming facilities in order to deter illegal or deviant behavior.
- 2.4 To maintain an ongoing liaison with the B.C. Gaming Commission in consideration of any future gaming facilities and their potential locations.

4.0 ALTERNATIVE OPTIONS

As previously mentioned, gaming facilities are considered as a 'public assembly' use, and are permitted in C2, C3 and C4 commercial zoning districts. Council has expressed concern that casinos can be developed in existing commercial zones without Council input. In order to address this concern, staff have considered a number of alternative options to govern the future locations of gaming facilities.

4.1 In order to provide Council with the opportunity for input, and to meet the goals and objectives outlined above, the option discussed at the Social Planning in Metrotown meeting was to amend the Zoning Bylaw to add gaming facilities as a permitted use in the C2a and C3a zoning districts. As Council is aware, the C2a and C3a districts were established in 1988 to ensure, through a rezoning process, that new retail liquor outlets are established in suitable locations with a minimum of social and neighbourhood disruption.

Inclusion of gaming facilities as a permitted use in the C2a and C3a districts would necessitate a rezoning process for development of new casinos and bingo halls, thereby providing Council with an opportunity to consider each application individually, based on an analysis of the site and the potential impact on the community.

There are two potential problems with this option. First, any properties rezoned to C2a or C3a for the purpose of development of a liquor store could be converted to a gaming facility without Council input. Secondly, if the site was of sufficient size, the potential would exist for development of a facility that provided a combination of a liquor store and a gaming facility. Staff do not believe these uses are complementary. Given these potential concerns, staff do not recommend inclusion of gaming facilities in the C2a and C3a districts.

4.2 After consideration of other options, staff recommend the inclusion of gaming facilities as a permitted use within the C3 zoning district, when designated on a comprehensive development plan, subject to the provisions of the CD (Comprehensive Development) District. It is recommended that only the C3 zoning district be considered because gaming facilities should be focused in areas of comprehensive development, given that they serve a Municipal level function.

This proposal would necessitate a rezoning to a Comprehensive Development district based on C3 guidelines, for the development of any future gaming facilities. It would be necessary to specify the gaming facility as a use on the comprehensive development plan. The Zoning Bylaw presently permits development of neighbourhood pubs in the C3 zoning district under similar conditions.

There are a number of advantages to this option. The primary benefit is that the Council would be provided with an opportunity for input through the rezoning process. The permitted uses of a comprehensive development project are clearly specified in the development plan when a property is rezoned to a CD district. Conversion to other uses of the C3 district will therefore be restricted through the CD zoning.

The option outlined above is recommended as the most feasible method to govern the future locations of gaming facilities. Staff further recommend the all other conditions of public assembly uses in C3 zoning districts, such as parking, apply to gaming facilities, and that the appropriate sections of the Zoning Bylaw be amended accordingly.

The B.C. Gaming Commission has expressed its desire to work with local municipalities in determining the locations of future gaming facilities. The proposal to include gaming facilities in specific zoning districts has been discussed with staff of the B.C. Public Gaming Branch, and they have indicated their support for the proposal.

5.0 CRITERIA

5.1 General Municipal Criteria

Staff have developed a set of general criteria to identify those areas of the Municipality that would be most suitable to accommodate limited opportunities for gaming. The criteria are intended to be used as a guide to evaluate future proposals for gaming facilities, only when it has been determined that the Municipality can accommodate an additional facility. Staff will be monitoring the existing gaming facility in Metrotown, and having discussions with the B.C. Gaming Commission regarding the needs for charitable revenue. It should not be assumed that an application for a gaming facility will be supported simply because it meets the locational guideline criteria.

The following criteria reflect the desire to minimize community impact and conflict with other land uses, while recognizing the commercial nature of gaming facilities and the level of population to which they cater:

- 1. Area of Activity:** Gaming facilities should be associated with areas where there is other evening activity, for crime prevention reasons. They should not be located in remote areas of the Municipality that may be potential targets for theft or robbery;
- 2. Level of Commercial District:** Gaming facilities should be located within town centers or in areas of existing or proposed C3 development, both of which characteristically have a full range of supporting commercial uses. Conversely, they should not be located in a neighbourhood level commercial center (ie. areas with concentrations of C1, C2 development);

3. **Service to Local Population and Proximity to Public Transit:** Gaming facilities should be located in areas that are central and accessible to Burnaby population, and that are well serviced by public transit.
4. **Separation from Similar Facilities:** Gaming facilities should be located a significant distance from other similar facilities, to avoid concentration of such uses.

5.2 Site Specific Criteria

In consideration of the proposed relocation of the casino in Metrotown, criteria were developed for evaluation of potential sites. Staff propose that these criteria, with minor wording changes as presented below, also be used to evaluate specific sites for the purpose of developing a casino or bingo hall. The criteria are as follows:

1. **Accessibility to pedestrian traffic:** The site should have a reasonable separation from a main pedestrian thoroughfare.
2. **Proximity to family oriented facilities:** The site should have a reasonable separation from areas of family activity, such as theatres and shopping malls.
3. **Potential for areas to 'hang-out':** The site and its design should not be overly inviting as a 'hang out' for youths and others.
4. **Openness and lighting:** The site should be in an open area and be brightly lit, so as to reduce opportunities for crime.
5. **Proximity to liquor facilities:** In order to avoid possible movement of patrons between a casino and liquor facility, the site should have a reasonable separation from pubs and night clubs.
6. **Opportunity for surveillance:** The site should be easily viewed and accessible for surveillance by both members of the public and the police.
7. **Compatibility with character of the area:** The site should be one in which a casino would be compatible with other uses in terms of hours of operation, type of facility and clientele.
8. **Proximity to Skytrain, bus loop or other transit areas:** The site should have a reasonable separation from transit stations which, by their nature, are pedestrian focal points.

In addition to the above criteria, it is recommended that the **separation from residential areas** also be given consideration in the assessment of potential sites for gaming facilities. The location of gaming facilities should be a reasonable distance from nearby residential communities, and the design should minimize potential impacts.

6.0 CONCLUSION

In preparing this report, staff have considered concerns expressed by Council regarding development and location of casinos in the Municipality. Some concerns expressed could also relate to bingo halls, and it is therefore suggested that casinos and bingo halls be considered together as gaming facilities.

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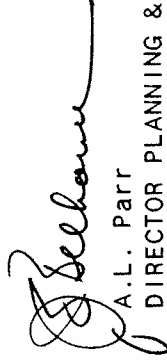
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Members of Council have indicated that they are willing to consider limited future gaming opportunities in Burnaby. To ensure that future gaming facilities are established in appropriate locations, and that opportunity exists for carefully considering each application on a site specific basis, staff recommend that the Zoning Bylaw be amended to include gaming facilities as a permitted use in the C3 zoning district, when designated on a comprehensive development plan, subject to the provisions of the CD (Comprehensive Development) District. This will necessitate rezoning for all future gaming facilities which will provide Council with an opportunity to consider the facilities' locations and potential community impacts.

Staff will monitor the existing gaming facility in Metrotown, and will continue to work with the B.C. Gaming Commission in establishing a liaison process that ensures Municipal input at all stages of development of future gaming facilities.

ALP

DLF/jp


A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

cc: Tax and Licence Director
Municipal Solicitor