



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Report Date: December 3, 2007  
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VanRIMS No.: 11-4600-23  
Meeting Date: January 31, 2008

TO: Standing Committee on Planning and Environment

FROM: Chief License Inspector

SUBJECT: 750 Pacific Boulevard - Dock B, Plaza of Nations Marina  
M.V. Queen of Diamonds - Vancouvercruises.com Charters Ltd.  
Motor Vessel Liquor Primary Liquor License

#### RECOMMENDATION

THAT Council NOT ENDORSE the request by Vancouvercruises.com for a new 410-seat inside and 200-seat patio (Motor Vessel) Liquor Primary Liquor License on board the M.V. Queen of Diamonds as outlined in the Administrative Report dated December 3, 2007 titled "750 Pacific Boulevard - Dock B, Plaza of Nations Marina, M.V. Queen of Diamonds - Vancouvercruises.com Charters Ltd., Motor Vessel Liquor Primary Liquor License".

#### GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS the foregoing.

#### COUNCIL POLICY

There is no applicable Council Policy or guidelines regarding new liquor license applications for motor vessels or dockside liquor service.

## **PURPOSE**

The applicant, Vancouvercruises.com Charters Ltd. is requesting a Council resolution endorsing the application for a new 610 seat (410 seats inside/200 seat patio) Motor Vessel Liquor Primary liquor license with dockside service on board the M.V. Queen of Diamonds docked at Dock B, Plaza of Nations Marina, 750 Pacific Boulevard.

## **BACKGROUND**

Since 1989, the Vancouver Liquor Licensing Commission and ultimately City Council, has considered applications for Class 'A' (Motor Vessel) liquor licenses. During the review and discussion of the applications, it was determined that because liquor service mainly occurs while the motor vessel is at sea, there is little impact on the surrounding neighbourhood where the vessel is docked. Therefore, applications were considered and generally endorsed without a mail notification or a referendum.

Vancouvercruises.com Charters Ltd. currently operates the M.V. Queen of Diamonds and holds a Food Primary License for the service of liquor with food. In order for the applicant to accommodate the increased number of requests from companies, organizations, weddings and convention groups for full liquor service, the applicant is proposing to cancel the Food Primary license once the Liquor Primary license is approved. The overall food and beverage operation will be similar to what has existed in the past.

The M.V. Queen of Diamonds is registered by Transport Canada to carry 610 passengers (including staff). The vessel is docked at Dock B, Plaza of Nations Marina and most charter cruises range from three to six hours. The majority of cruises are seated dinner cruises which take place in the evenings and the proposed maximum hours of liquor service are between 12:00 noon and 2:00 a.m. Monday to Saturday and 12:00 noon and 12:00 midnight on Sunday. Liquor service is always terminated before the vessels return to dock.

The applicant has refitted the vessel and will be upgrading the washrooms and the galley (kitchen). The engine room has been completely rebuilt and has Transport Canada's approval to resume service.

There is ample parking nearby and public transportation to support the application. The applicant has requested dockside liquor service for 30 minutes prior to setting sail. No dockside service will be permitted once the vessel has returned to port after the cruise.

The cruises are closed, private events which are controlled by the vessel staff and crew. The moorage location is some distance from land-based residents. Staff and the Vancouver Police Department do receive numerous noise complaints related to cruise vessels operation in the harbour and false creek which are dealt with on an individual basis. Vancouver Cruises has a history of noise complaints from residents in the False Creek area of excessive music sound levels from their operations.

## **FINANCIAL IMPLICATIONS**

There are no financial implications.

## COMMENTS

The **Police Department** comments that Vancouver Cruises has a history of noise complaints from residents in the False Creek area and the Marine Squad has had to deal with them on several occasions. The applicant presently has a Food Primary License and has had compliance problems, before a change to a Liquor Primary License with its focus on the sale of liquor instead of food is considered the applicant should have a clean record of at least one year. The Marine Squad is also concerned about the level of intoxication of patrons as higher alcohol levels can lead to "reduced reaction time, decreased fine motor skills, poor balance and impaired judgement". This is even more of a public safety issue for people on the water. City records indicate there are presently 20 vessels that have liquor licenses, 16 of them are Liquor Primary Licenses. This appears to be a sufficient number of vessels with Liquor Primary Licenses.

The Police do not support this application.

The **Environmental Health Department** comments that Vancouver Cruises has a recent history of complaints involving reports from residents of False Creek of excessive music sound levels from their operations; seven complaints were received in July and August of 2006 and despite notification of the problem and advisement of acceptable practices by the Environmental Health Department, three subsequent complaints were received in the summer of 2007. On August 15, 2007, Vancouver Cruises was given warning by Vancouver Coastal Health not to play music within the vicinity of False Creek and Kits Point. The Environmental Health Department does not support this application until a suitable period has elapsed in which the operator can demonstrate control of music sound levels. Because the complaints were received during the summers of 2006 and 2007, the suggested period for demonstration of compliance is through to the end of summer 2008.

## CONCLUSION

Vancouver Cruises has a history of complaints involving excessive music sound levels from their operations. Warnings have been given by Vancouver Coastal Health and the Vancouver Police Department Marine Squad. Therefore, staff does not support this application and recommend council not endorse the Liquor Primary liquor license application for the M.V. Queen of Diamonds motor vessel. This application may be re-considered once a suitable period has elapsed in which Vancouver Cruises can demonstrate control of music sound levels.

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