



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: June 14, 2005
Author: Daniel Naundorf
Phone No.: 604.871.6198
RTS No.: 05238
CC File No.: 4657
Meeting Date: June 28, 2005

TO: Vancouver City Council

FROM: Director of Housing Centre in consultation with Directors of Current Planning and Legal Services

SUBJECT: Single Room Accommodation Permit for 434 Richards Street (Empress Rooms)

RECOMMENDATION

- A. THAT Council authorize an exemption from the requirements of the Single Room Accommodation By-law for 7 SRA designated rooms at 434 Richards Street (Empress Rooms).
- B. THAT Council approve a Single Room Accommodation conversion and demolition permit for 11 designated rooms at 434 Richards Street (Empress Rooms), to allow for development of 10 self-contained rental dwelling units within the existing building, with the condition that the owner pay the \$5000 per room demolition fee for the non-exempt rooms (\$55,000) to be deposited into the City's reserve fund for the creation of replacement housing, and with the condition that non-stratification of the site for 30 years or the life of the existing building, and heritage retention and maintenance measures are secured for the life of the building.

CITY MANAGER'S COMMENTS

The City Manager RECOMMENDS approval of A and B.

COUNCIL POLICY

On October 21, 2003, Council enacted the Single Room Accommodation By-law to regulate the conversion and demolition of single room accommodation. Under the By-law, owners of designated rooms may apply for an exemption for any designated room that is larger than 320 square feet. If the applicant satisfies Council that the requirements and conditions of exemption are met, Council must grant the exemption.

Owners wanting to convert or demolish designated SRA rooms must apply for and obtain a conversion or demolition permit. Council decides each application on its own merits and may refuse the permit, approve the permit outright or approve the permit with conditions attached.

PURPOSE AND SUMMARY

This report provides an overview of the Single Room Accommodation exemption and conversion permit applications for Empress Rooms (434 Richards Street) and provides a rationale for staff's recommendation that the SRA exemption and conversion permit be approved with the condition that non-stratification of any building developed on the site is secured for a minimum of 30 years and heritage retention and maintenance measures are secured for the life of the building. (see Appendix A for details).

BACKGROUND

The Single Room Accommodation By-law is a tool that allows Council to manage the rate of change in the low-income housing stock by considering each conversion or demolition on a case-by-case basis.

The Empress Rooms, built in the early 1900's, is a 3-storey building located at 434 Richards Street (at Pender) in the Downtown District (DD). While not listed on the Heritage Register, the building contributes to a strong streetwall of heritage buildings in the 400 blocks of Richards and West Pender Streets. Empress Rooms has 18 designated SRA rooms which have been vacant for more than 30 years. The applicant is proposing to convert the 18 rooms into 10 self-contained rental dwelling units. Seven SRA designated rooms at 434 Richards (Empress Rooms) are over 320 sq. ft. and therefore qualify for an exemption under the SRA By-law.



Empress Rooms, 434 Richards St

In addition to payment of the \$5000 per room SRA demolition fee (\$55,000) to be deposited into the City's reserve fund for the creation of replacement housing, staff recommend conditions for approval of the SRA conversion permit securing the proposed 10 self-contained dwelling units as rental housing by prohibiting strata-titling and proposed heritage rehabilitation and maintenance measures. Stratification would be prohibited for a minimum of 30 years and the heritage measures would be secured for the life of the building through Section 219 Covenants.

DISCUSSION

Application for Exemption

The applicant is seeking Council approval to exempt 7 rooms in the Empress Rooms from the SRA By-law, as these rooms, from and after the enactment date to the date of this application, consist of more than 320 square feet. Floor plans have been submitted showing the existing layout and dimensions of these rooms (Appendix B, pages 2 and 3). Staff visited the site to verify the number of rooms and their dimensions and confirm that the information submitted to support the SRA exemption application meets the requirements of the By-law.

Application for Single Room Accommodation Permit

As outlined in the Vancouver Charter, Council is required to consider a number of factors in deciding whether or not to grant an SRA conversion or demolition permit. These factors include:

- the accommodation that will be available to the tenants affected by the conversion or demolition;
- the supply of low cost accommodation in the Downtown Core;
- the condition of the building; and
- the replacement of single room accommodation in the city.

Accommodation for affected tenants: The 18 SRA rooms at 434 Richards (Empress Rooms) have been closed and vacant for more than 30 years. There is one commercial tenant remaining (McLeod's books) who was considering leaving, as the building has been poorly maintained and is in need of substantial repair. There are also 4 vacant commercial retail units along Richards.

Supply of low cost accommodation in the Downtown Core: According to the "2003 Survey of Low-Income Housing in the Downtown core", between January 1991 and March 2003, the creation of replacement housing geared to low-income singles in the Downtown Eastside, Chinatown, Strathcona and Gastown and the Downtown District (DD) has kept pace with the loss of SRA rooms. However, with the end of the HOMES BC program in 2002, keeping pace with losses may not be possible without controls over conversion and demolition. Council has approved demolition / conversion permits for 4 SRA designated buildings representing a net loss of 62 units in the DD. One of these permits was for the City-owned Granville Hotel where the demolition of 17 rooms facilitated upgrades to the remaining 83 SRA units to include washrooms and cooking facilities, with rents tied to the shelter component of income assistance. No new non-market housing has been built in the Downtown District since the completion of the 63-unit Candela Place (1265 Granville Street) in August 2002.

While the proposed development of 10 market rental dwelling units at 434 Richards will not be geared towards low-income singles, it will facilitate the retention and upgrading of a historic and long vacant residential building in the Downtown District. The rental housing proposed to be secured with this project would provide a relatively affordable housing alternative not widely available in this part of the Downtown.

Condition of the Building and Proposed Renovations: 434 Richards Street (Empress Rooms) is in need of considerable repair and upgrading. The rooms have been vacant for over 30 years. If the Single Room Accommodation exemption and demolition/conversion permit are approved, proposed renovations would result in 10 self-contained rental dwelling units greater than 320 sq. ft., with private bathroom and cooking facilities. The proposed renovation would require building upgrades improving life-safety. The upgrading could involve: fire separations for floors, suite separations and exits; automatic fire suppression system; exit systems; accessibility; and depending on the nature of the work, structural upgrades.

These improvements will result in significant improvements to the quality of this housing stock which has long stood vacant. The proposed development is consistent with Council's objectives for economic revitalization in the area, and will offer standard market rental dwelling units in an area where these are not readily available.

Replacement of lost SRA units: As Empress Rooms have been closed for more than 30 years, there will be no net loss of the currently active SRA stock as a result of this exemption and SRA permit application. Approval of the exemption and demolition/conversion permit will secure \$55,000 for the City's replacement housing fund and will result in the reopening of 10 standard self-contained market dwelling units.

Heritage Rehabilitation: 434 Richards Street (Empress Rooms) is not listed on the Vancouver Heritage Register. A Heritage Revitalization Agreement (HRA) has not been negotiated as a condition for approval of the Single Room Accommodation conversion permit. The applicant has decided not to seek heritage incentives, however the applicant has agreed to pursue heritage restoration measures. Staff recommend specific measures and façade maintenance obligations be secured through registered agreements (See Appendix A) as a condition of Council approval of the SRA conversion /demolition permit

CONDITIONS OF APPROVAL

Staff recommend as a condition of approval of the SRA demolition / conversion permit that the owner pay the \$5000 per room demolition fee (\$5000 X 11rooms = \$55,000) and that the owner enter into registered agreements to secure, the following:

- No strata titling of any development on the site for a minimum of 30 years or the life of the existing building whichever is later,
- Heritage façade restoration, and
- Façade maintenance for the life of the building

Public Benefits: Staff believe the proposal for 434 Richards Street (Empress Rooms) would be a positive step towards revitalization of this area without displacement. The Empress Rooms have been closed and vacant for more than 30 years and the building's only remaining commercial tenant (McLeod's Books) was considering leaving, as substantial repairs to the building are needed. Self-contained market rental dwelling units provide a viable means to achieve the repair and restoration of this building. As market rental dwelling units

are not readily available in the area the project will help diversify housing options in this part of the Downtown.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Staff recommend the approval of a Single Room Accommodation exemption for the 7 SRA designated rooms which are over 320 square feet. Staff recommend the approval of a Single Room Accommodation conversion and demolition permit for 11 designated SRA rooms at 434 Richards Street, thereby permitting the development of 10 self-contained market rental dwelling units with the condition that the applicant pay the \$5000 per room demolition fee for the 11 SRA rooms (\$55,000) and subject to securing in registered agreements, heritage revitalization and maintenance measures, and non-stratification of the rental dwelling units.

* * * *

APPENDIX A

Page 1 of 1

**PROPOSED CONDITIONS FOR SRA DEMOLITION / CONVERSION PERMIT FOR
434 RICHARDS STREET (EMPRESS ROOMS)**

1. PAYMENT OF \$5000 per room demolition fee for 11 rooms (\$55,000) to be deposited into the City's reserve fund for the creation of replacement housing.
2. SECTION 219 COVENANT TO THE SATISFACTION OF THE DIRECTOR OF LEGAL SERVICES SECURING:
 - Rental tenure (no strata titling) for a minimum of 30 years or for the life of the existing building, whichever is later.
3. SECTION 219 COVENANT TO THE SATISFACTION OF THE DIRECTOR OF LEGAL SERVICES IN CONSULTATION WITH THE DIRECTOR OF CURRENT PLANNING SECURING CERTAIN HERITAGE COMPONENTS OF THE EXISTING BUILDING, GENERALLY CONCERNING THE FOLLOWING:
 - Preservation of the existing heritage fabric,
 - Rehabilitation of the existing building storefront including cleaning, repairing and repainting (in historic colours) of existing wood framing,
 - Cleaning, repairing, re-pointing (where required) of exterior masonry,
 - Cleaning, repairing, stabilizing, re-painting (in historic colour) of existing wood windows (including retention of all functional and decorative components),
 - preserving and consolidating (repair, re-paint) metal elements like cornices and fire escape structure,
 - preserving historic interiors and/or interior elements with heritage value (stairwells, fireplace, flooring, door frames etc) as they may be found on the site.
 - The above work is to be done in accordance with acceptable heritage conservation standards.
4. SECTION 219 COVENANT TO THE SATISFACTION OF THE DIRECTOR OF LEGAL SERVICES IN CONSULTATION WITH THE DIRECTOR OF CURRENT PLANNING SECURING FACADE MAINTENANCE OF THE EXISTING BUILDING

APPENDIX B
SRA EXEMPTION APPLICATION, EXISTING FLOOR PLAN, AND AFFIDAVIT

Page 1 of 4

APPLICATION TO EXEMPT DESIGNATED ROOMS FROM
SCHEDULE A OF SINGLE ROOM ACCOMMODATION BY-LAW

To: Housing Centre Director
Vancouver City Hall
453 West 12th Avenue
Vancouver, BC V5Y 1V4



City of
Vancouver

The undersigned applies to Council to exempt the following property or specific rooms therein from Schedule A of the Single Room Accommodation By-law.

1. Civic Address: 434 RICHARDS ST
Legal Description: Lot _____ Subdivision _____ Block _____ District Lot _____ Plan _____
Building Name: WALSH BLOCK - EMPRESS ROOMS

2. Total number of rooms in the above building: _____ Proposed # of rooms to be exempt: _____

Floor level	# of rooms on this floor	Proposed Room Nos. to be exempt	(Attach separate sheet if more space required)
<u>2</u>	<u>4 ROOMS</u>	Room Nos. _____	
<u>3</u>	<u>3 ROOMS</u>	Room Nos. _____	
_____	_____	Room Nos. _____	
_____	_____	Room Nos. _____	
_____	_____	Room Nos. _____	

3. The following documents are attached and form part of this Application (see "Required Information for Application to Exempt Designated Rooms from Schedule A of SRA By-law" on the reverse side of this form):
EXISTING FLOOR PLANS OF 2ND + 3RD FLOORS
AFFIDAVIT COMPLETED + SWORN BY OWNER

(Please note that any information and documents provided with this SRA exemption application will be attached to the report to Council and as such, be made available to the public.)

4. Please print names and addresses of owner(s). If owner is a corporation, you must provide Incorporation Certificate and names and addresses of all directors and associates (Attach separate sheet if more space required):
UND LANGMANN 2117 GRANVILLE ST. VANCOUVER V6H3E9 TEL 736-81

5. I am the: Property Owner Property/Building Manager Agent for owner Other _____

6. I file this application with the full consent of the owner(s).

7. I declare that the statements contained in this application and all attached documents and plans are true and correct.

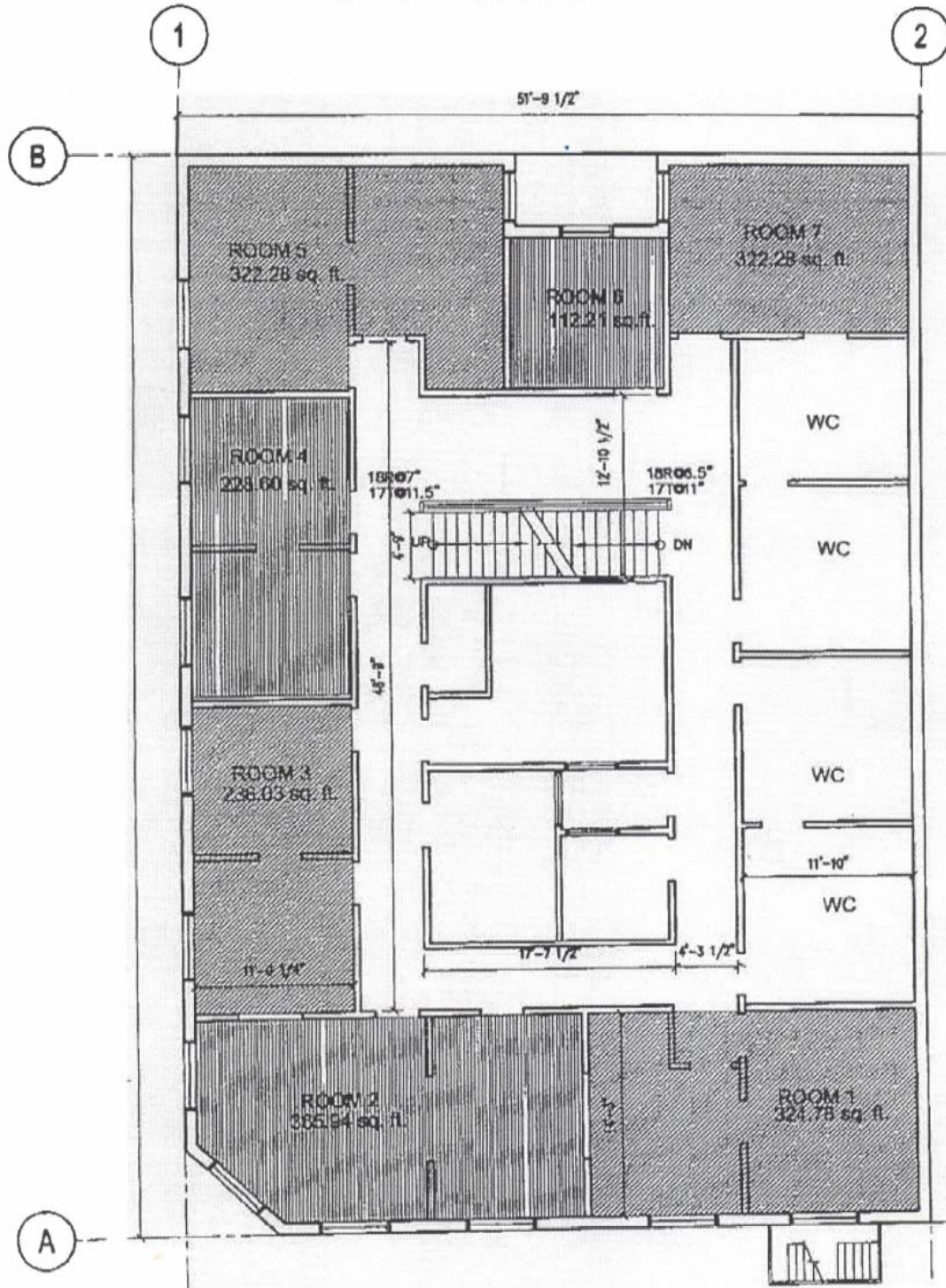
Name of Applicant (Please print): JAMES STEWART
Name of Company (if applicable): CENTURY HOUSE HOLDINGS LTD
Mailing Address: 901-525 SEYMOUR ST City: VANCOUVER Postal Code: _____
Telephone: 604 683-1681 Cell Phone: _____ Fax: 604 683-8611

Signature of Applicant: [Signature] Date: May 6 2005

Office Use:		
Application No. <u>SA 400011</u>	Date Received: <u>May 10, 2005</u>	
To Council: _____	Decision: _____	

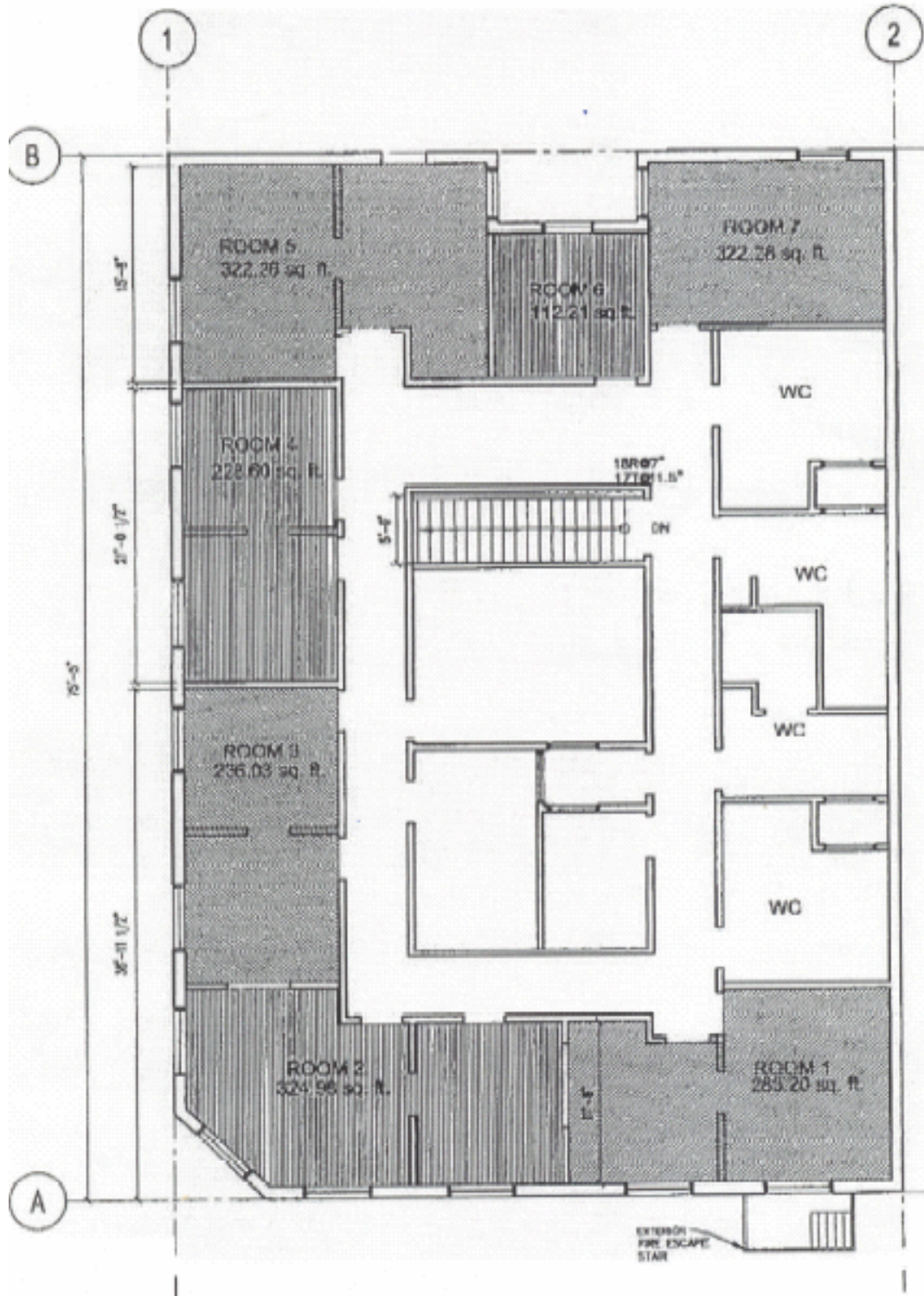
APPENDIX B
SRA EXEMPTION APPLICATION, EXISTING FLOOR PLAN, AND AFFADAVIT

434 RICHARDS ST - EMPRESS ROOMS



2 SECOND FLOOR PLAN
SCALE - 1/8" = 1'-0"

APPENDIX B
SRA EXEMPTION APPLICATION, EXISTING FLOOR PLAN, AND AFFADAVIT



3 THIRD FLOOR PLAN
SCALE - 1/8" = 1'-0"

APPENDIX B
SRA EXEMPTION APPLICATION, EXISTING FLOOR PLAN, AND AFFADAVIT
Province of British Columbia

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In the Matter of the City of Vancouver
Single Room Accommodation By-law (the "By-law")

AFFIDAVIT

I, UNO LANGMANN, of 2117 GRANVILLE STREET
Vancouver, British Columbia, make oath and say as follows:

1. I am the registered owner of real property in Vancouver, British Columbia bearing the legal description PARCEL IDENTIFIER: 015-254-178 LOT A OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-186 LOT B OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-208 LOT C OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521 and civic address 434 Richards Street, and as such have personal knowledge of the matters to which I depose in this affidavit.

2. I make this affidavit in respect of each room ("room") on the property bearing room numbers:

2ND FLOOR - 4 ROOMS
3RD FLOOR - 3 ROOMS

3. From and after October 23, 2003 to the date of this affidavit, each room has consisted, and consists, of more than 320 square feet.

Sworn before me at Vancouver,
British Columbia this 21st day of
April, 2005
A Commissioner for taking Affidavits
for British Columbia

KRISTIN NOVAK
Barrister & Solicitor
1100-888 DUNSMUIR STREET
VANCOUVER, B.C.
V6C 3K4


UNO LANGMANN

APPENDIX C
 SRA CONVERSION / DEMOLITION APPLICATION AND AFFIDAVIT



CITY OF VANCOUVER
 COMMUNITY SERVICES
 Housing Centre

**SINGLE ROOM ACCOMMODATION
 CONVERSION* or DEMOLITION*
 PERMIT APPLICATION**

SR No. 40011

Civic Address: 434 RICHARDS
 Legal Description: Lot A+B+F 1500 Division 15 Block 25 District Lot 541 Plan 521
 Building Name: WALSH BLOCK - EMPRESS ROOMS

This area must be completed by the person signing this application.

Your Name: JAMES STEWART You are the:

Mailing Address: 901-525 SEYMOUR ST 01 Property Owner

City: VANCOUVER 02 Agent for Property Owner

Postal Code: V6B 3H7

Phone Number: (604) 683-1681

Company Name: CENTURY HOUSE HOLDINGS LTD.

Note: If the applicant is NOT the property owner, a letter of consent signed by the owner must also be submitted.

Owner's Information (if owner is a corporation, provide Incorporation Certificate and names and addresses of all directors & associates):

Property Owner's Name <u>IANO LANGMANN</u>	
Address: <u>2117 GRANVILLE ST</u>	City: <u>VANCOUVER</u>
Postal Code: <u>V6H 3E9</u>	Phone Number: <u>(604) 736-8825</u>
Property Owner's Name	
Address:	
City:	
Postal Code:	
Phone Number:	
Property Owner's Name	
Address:	
City:	
Postal Code:	
Phone Number:	

This application is to: (Check applicable box)

001 Convert* occupancy of designated room(s)
 002 Change term or nature of tenancy of designated room(s)
 003 Change frequency of rent payments for designated room(s)
 004 Convert* vacant designated room(s)
 005 Repair or alter designated room(s)
 006 Demolish* designated room(s)
*see definitions of "conversion" and "demolition" on reverse side of form under "Explanatory Notes"

Total # of storeys in this building: 3 + BSMT
 Total # of SRA rooms in this building: 18
 Total # of non-SRA rooms in this building: 7

Describe nature of the proposed conversion or demolition:
CONVERT SRA ROOMS TO 10 MARKET RENT
SELF CONTAINED SUITES

APPENDIX C
 SRA CONVERSION / DEMOLITION APPLICATION AND AFFADAVIT

City of Vancouver Single Room Accommodation Conversion or Demolition Permit Application - continued

THIS SECTION MUST BE COMPLETED:	OFFICE USE
Are there any permanent residents needing to relocate as a result of this proposed conversion?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, you must provide the following information:	
1. The number of permanent residents that will be affected?	
2. A list of names of the residents needing relocation, their room nos. and length of residency	
3. Proposed relocation strategy for existing tenants	
You must also include with this application the following required supporting documents:	
1. An affidavit, sworn by the owner or, if the owner is a corporation, by a director of the corporation, setting out why the owner wants to convert or demolish the designated room	
2. Records required under the Hotel Guest Registration Act or Hotel Room Tax Act, tax assessment records, guest ledgers, and daily rent receipts, for the current calendar year and for the three immediately preceding calendar years, in respect of the designated room	
3. One set of floor plans of the existing and proposed floor layout as described below*	
4. Tentative schedule for construction (if applicable)	

* Explanatory Notes:

- Definition of "conversion" or "convert" means the following under the Single Room Accommodation By-law:
 - (a) a change in the form of occupancy, intended form of occupancy, or customary form of occupancy of a designated room from living accommodation for a permanent resident to living accommodation for a transient guest or to another purpose,
 - (b) a change in the term or nature of the tenancy to which a permanent resident has the right in respect of a designated room,
 - (c) a change in the frequency of the rent payments a permanent resident must make in respect of a designated room,
 - (d) an occupancy or use, or the suffering or allowing of an occupancy or use, of a vacant designated room for a purpose other than living accommodation for a permanent resident,
 - (e) a repair or alteration to a designated room or any improvement or fixture in it or a replacement of any such improvement or fixture, except for repairs or alterations that are minor in nature and have no material effect on the enjoyment by permanent residents of their living accommodation,
 - (f) a reclassification of a building or any portion of a building from Class 1-residential to any other class referred to in the Assessment Act and its regulations, or
 - (g) a loss of exemption in respect of a designated room from an obligation to pay or remit hotel room tax under the Hotel Room Tax Act and its regulations;"
- Definition of "demolition" or "demolish" means the following under the Single Room Accommodation By-law: "to pull, knock, or tear down or to raze, wholly or partially, a designated room"
- Floor plans must be legible, drawn to a scale NOT less than 1/8" to 1", and must:
 - (a) include dimensions and layout of all floor levels including basement and underground parking;
 - (b) identify on each floor:
 - rooms that provide accommodation for permanent residents;
 - rooms that provide accommodation for transient guests (tourists);
 - rooms that provide other non-residential accommodation uses (e.g., lounge, storage rooms, etc.);
 - (c) indicate on each floor the square footage of all rooms and common areas;

Office Use Only

As owner or owner's agent, I have verified that the information contained within this document and associated applications and plans is correct, and describes a use, a building or a work which complies with all relevant by-laws and statutes. I acknowledge that responsibility for by-law compliance rests with the owner and the owner's employees, agents and contractors. I will indemnify and save harmless the City of Vancouver, its officials, employees and agents against all claims, liabilities and expenses of every kind, in respect of anything done or not done pursuant to this application or fact sheet or ensuing permit, including negligence and/or the failure to observe all by-laws, acts or regulations.

Further, I acknowledge that any information and documents provided with this SRA conversion/demolition permit application will be attached to the report to Council and as such, be made available to the public.

SIGNED AT VANCOUVER, BC THIS 6 DAY OF MAY 2005 [Signature]
 Signature of Applicant

APPENDIX C
SRA CONVERSION / DEMOLITION APPLICATION AND AFFIDAVIT
Province of British Columbia

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In the Matter of the City of Vancouver
Single Room Accommodation By-law (the "By-law")

AFFIDAVIT

I, UNO LANGMANN, of 2117 GRANVILLE STREET,
Vancouver, British Columbia, make oath and say as follows:

1. I am the registered owner of real property in Vancouver, British Columbia bearing the legal description PARCEL IDENTIFIER: 015-254-178 LOT A OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-186 LOT B OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-208 LOT C OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521 and civic address 434 Richards Street, and as such have personal knowledge of the matters to which I depose in this affidavit.

2. I wish to convert or demolish the following rooms in the building on the property for the following purpose:

Room Numbers:

2ND FLOOR
3RD FLOOR

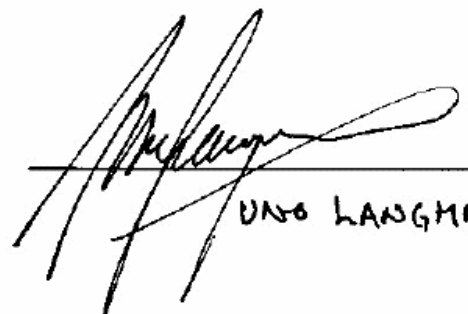
Purpose: TO REMOVE THE ROOMS DESCRIBED ABOVE FROM SRA AND REPLACE WITH MARKET RENTAL SELF CONTAINED SUITES

Sworn before me at Vancouver,
British Columbia this 21 day of
APRIL, 2005

A Commissioner for taking Affidavits
for British Columbia

KRISTIN NOVAK
Barrister & Solicitor
1100-888 DUNSMUIR STREET
VANCOUVER, B.C.
V6C 3K4

(Commissioner's stamp or seal)



UNO LANGMANN

APPENDIX D
Authorization of Agent
April 21, 2005

Page 1 of 1

City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4

Attn: Catherine Wong, SRA By-Law Coordinator

Re: 434 Richards Street (the "Building").

I am registered owner of real property in Vancouver, British Columbia bearing the legal description PARCEL IDENTIFIER: 015-254-178 LOT A OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-186 LOT B OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521; PARCEL IDENTIFIER: 015-254-208 LOT C OF LOTS 19 AND 20 BLOCK 25 DISTRICT LOT 541 PLAN 521 and civic address 434 Richards Street.

I hereby authorize Century House Holdings Ltd. to act as my agent in all matters relating to any application for the exemption, conversion or demolition of rooms located in the Building and designated as Single Room Accommodation.

Yours Truly,



Udo Langmann

2117 Granville Street
Vancouver, BC V6H 3E9
Tel: (604) 736-8825