



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: July 24, 2006
Author: Catherine Wong
Phone No.: 604.873.7975
RTS No.: 06222
VanRIMS No.: 11-4400-50
Meeting Date: October 3, 2006

TO: Vancouver City Council

FROM: The Director of Housing Centre, in consultation with the Directors of Legal Services, Licenses and Inspections, and Current Planning

SUBJECT: Application to exempt 19 SRA-designated rooms at 347 West Pender (New Backpackers Hotel) from the Single Room Accommodation By-law

RECOMMENDATION

THAT Council grant an exemption from the Single Room Accommodation By-law of all 19 designated rooms at 347 West Pender Street (New Backpackers Hotel).

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

The Single Room Accommodation By-law regulates the conversion or demolition of designated rooms. Owners of designated rooms may apply for an exemption if these rooms, from and after the enactment date of October 21, 2003 to the date of application for the exemption, meet the following exemption conditions:

- (a) a permanent resident does not occupy or customarily occupy the room as living accommodation;
- (b) the room is not in a building or portion of a building classified under the Assessment Act and its regulations as Class 1 - residential; and

- (c) the room is in a building or portion of a building in respect of which the owner has an obligation to pay or remit hotel room tax under the Hotel Room Tax Act and its regulations.

Council must grant the exemption if it is satisfied that the designated rooms meet all of the exemption conditions.

PURPOSE AND SUMMARY

This report recommends that Council approve an application for exemption with respect to all 19 designated rooms at 347 West Pender Street (New Backpackers Hotel) as the evidence shows that these rooms meet the exemption conditions as set out in the Single Room Accommodation By-law.

BACKGROUND

On October 21, 2003, Council enacted the By-law to regulate the conversion or demolition of single room accommodation. The By-law provides for exemptions subject to the production of evidence, satisfactory to Council, that the designated rooms meet the exemption conditions.

DISCUSSION

Records with the Licenses and Inspections Department and the Housing Centre indicate that in 1995, the owner/operator obtained permits to convert the New Backpackers (formerly Hartney Apartment) to hotel use providing accommodation to tourists.

Staff recently conducted a site visit of the New Backpackers Hotel, reviewed the hotel's guest ledgers and collected the necessary evidence to recommend the exemption of rooms in this hotel. (See Appendix A for evidence in support of the application for exemption.)

Staff believes that the rooms in the New Backpackers meet the exemption conditions, and the owner has submitted to staff evidence that:

- (a) the classification for the New Backpackers under the Assessment Act and its regulations is 100% Class 6 - commercial;
- (b) the New Backpackers is subject to and pays the hotel room tax under the Hotel Room Tax Act and its regulations; and
- (c) on the By-law enactment date and since then, permanent residents, as defined in the By-law, have not occupied or customarily occupied rooms in the New Backpackers as living accommodation.

The following information relevant to the operations of the New Backpackers is also noted:

- The New Backpackers' main demographic is non-locals between ages 19 and 35.
- Hotel nightly rates are as follows:
 - Private room with a double-bed/shared bathroom: \$18.39 USD/night (maximum 2 people sharing);

- dormitory type rooms with 3 to 6 beds in a room, where guests can rent a bed at \$9.19 USD/bed/night.

- Other services include laundry facilities, linen and towels, kitchen, and security lockers.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

As the evidence shows that the 19 designated rooms at the New Backpackers Hotel meet the exemption conditions as set out in the Single Room Accommodation By-law, staff recommends that Council approve its exemption application.

* * * * *

IKAN Management Inc

6042554572

P. 02

BC Assessment

www.bcasassessment.ca

ASSESSMENT ROLL NUMBER

026-592-148-05-0000

City of Vancouver

OFFICE USE
NEIGHBOURHOOD CODE

026
PIN 0000381705

N000140

2006 Property Assessment

This is your 2006 Property Assessment Notice. This is not a tax notice. This provides you with an estimate of your property value, its classification, and your entitlement to exemptions from taxation, if any apply. This information will be used by the provincial government and local governments to calculate your 2006 property taxes.

PROPERTY DESCRIPTION	
<p>Your property description may consist of a property address, legal description and the property identification (PID) number assigned by the Land Title and Survey Authority.</p>	<p>430 HOMER Block 26, Plan 210, District Lot 541, New Westminster Land District, LOT 19 & 20 S 75FT ROCK STARS HOSTEL PID - 015-502-091 015-502-104</p>

PROPERTY VALUE	VALUE	CLASS
<p>The value of your property is determined by local real estate market conditions. The ASSESSED VALUE is BC Assessment's estimate of the market value (most probable selling price) for your property had it been for sale on July 1, 2005.</p> <p>This value reflects the physical condition of your property as of October 31, 2005 and ownership according to Land Title and Survey Authority records as of November 30, 2005.</p>	<p>LAND 584,000</p> <p>BUILDINGS 650,000</p> <p>ASSESSED VALUE \$1,234,000</p> <p>Less Exemptions -160,000</p> <p>TAXABLE VALUE \$1,074,000</p>	<p>BUSINESS/OTHER</p>

ADDITIONAL INFORMATION	
<p>This information relates to your property and may be of interest to you.</p>	<ul style="list-style-type: none"> • 2005 assessed value (as of July 1, 2004) was \$1,065,000

<p>TO CONTACT AN OFFICE FOR THIS PROPERTY IS:</p> <p>Vancouver Assessment Area 200-1818 Cornwall Ave Vancouver BC V6J 1C7 09-39-200-026-592-148-05-0000</p> <p>Local Office 804-739-8588 Or 1-800-861-1780 Fax 604-739-8886 Email vancouver@bcassessment.ca</p>	<p>OFFICE HOURS</p> <p>If you have any questions about your 2006 Property Assessment, please call your local assessment office.</p> <p>During the month of January, offices will be open between 8:30 a.m. and 5:00 p.m., Monday through Friday.</p> <p>For more information, please see the back of this notice.</p>
<p>TO CONTACT US FOR THIS PROPERTY IS:</p> <p>VINCENT FODERA 1741 GRANT ST VANCOUVER BC V5L 2Y6</p>	<p>DEADLINE FOR REVIEW</p> <p>Please note that the deadline for filing a written request for an independent review of your assessment is January 31, 2006.</p>

BC Assessment

www.bcassessment.bc.ca

ASSESSMENT ROLL NUMBER

026-592-148-05-0000

City of Vancouver

OFFICE USE
NEIGHBOURHOOD CODE

026
PIN 0000381705

1185122

2003 Property Assessment

This is a preliminary assessment notice. The purpose of this notice is to provide you with an estimate of your property value. This estimate will be used by the provincial government, municipalities, regional districts, and hospital districts to calculate your 2003 property taxes.

PROPERTY DESCRIPTION
<p>Your property description may consist of a property address, legal description and the property identification (PID) number assigned by the Land Title Office.</p> <p>430 436 HOMER Block 26, Plan 210, District Lot 541, LOT 19 & 20 S 75FT ROCK STARS HOSTEL. PID - 015-502-104 015-502-091</p>

PROPERTY VALUE																		
<p>The value of your property is determined by local real estate market conditions. The ASSESSED VALUE is BC Assessment's estimate of the market value (most probable selling price) for your property had it been for sale on July 1, 2002.</p> <p>This value reflects the physical condition of your property as of October 31, 2002 and ownership according to Land Title Office records as of November 30, 2002.</p>																		
<table border="1"> <thead> <tr> <th></th> <th>VALUE</th> <th>CLASS</th> </tr> </thead> <tbody> <tr> <td>LAND</td> <td>471,000</td> <td></td> </tr> <tr> <td>BUILDINGS</td> <td>483,000</td> <td></td> </tr> <tr> <td>ASSESSED VALUE</td> <td>\$954,000</td> <td>BUSINESS/OTHER</td> </tr> <tr> <td>Less Exemptions</td> <td>-150,000</td> <td></td> </tr> <tr> <td>TAXABLE VALUE</td> <td>\$804,000</td> <td></td> </tr> </tbody> </table>		VALUE	CLASS	LAND	471,000		BUILDINGS	483,000		ASSESSED VALUE	\$954,000	BUSINESS/OTHER	Less Exemptions	-150,000		TAXABLE VALUE	\$804,000	
	VALUE	CLASS																
LAND	471,000																	
BUILDINGS	483,000																	
ASSESSED VALUE	\$954,000	BUSINESS/OTHER																
Less Exemptions	-150,000																	
TAXABLE VALUE	\$804,000																	

ADDITIONAL INFORMATION
<p>This information relates to your property and may be of interest to you.</p> <ul style="list-style-type: none"> • IF YOUR TENANTS PAY THE TAXES ON THIS PROPERTY, YOU SHOULD MAKE THEM AWARE OF THE ASSESSMENT ON THE PROPERTY. • 'Business & Other' typically includes office, retail and other commercial uses, vacant land zoned for such purposes and generally all 'other' property which is not in any other class. • 'Buildings' may also include structures, fixtures, paving, etc. • 2002 assessed value (as of July 1, 2001) was \$988,000

<p>YOUR ASSESSMENT OFFICE FOR THIS PROPERTY IS:</p> <p>Vancouver Assessment Area 200-1818 Cornwall Ave Vancouver BC V6J 1C7 09-39-300-026-592-148-05-0000 (0961)</p> <p>Local Office 604-739-8588 or 1-800-661-1780 Fax 604-739-8666 Email bca03@gems4.gov.bc.ca</p>	<p>OFFICE HOURS</p> <p>If you have any questions about your 2003 Property Assessment, please call your local assessment office.</p> <p>During the month of January, the office will be open between 8:30 a.m. and 5:00 p.m., Monday through Friday.</p> <p>For more information, please see the back of this notice.</p>
<p>THE OWNER/LESSEE OF THIS PROPERTY IS:</p> <p>VINCENT FODERA 1741 GRANT ST 12 (H) VANCOUVER BC V5L 2Y6</p>	<p>DEADLINE FOR REVIEW</p> <p>Please note that the deadline for requesting an independent review of your assessment is January 31, 2003.</p>



Ministry of Finance
and Corporate Relations
Consumer Taxation Branch

CERTIFICATE OF REGISTRATION
pursuant to the
HOTEL ROOM TAX ACT

The holder of this certificate is a registered operator under the *Hotel Room Tax Act*.
The operator is deemed to be an agent of the Minister of Finance and Corporate
Relations and is authorized to collect taxes imposed under the *Hotel Room Tax Act*.

NAME AND ADDRESS

GREEK SIDE INVESTMENT INC.
347 W PENDER ST
VANCOUVER BC V6B 1T3

DATE OF ISSUANCE		
DAY	MONTH	YEAR
23	10	2003

REGISTRATION NO.
H040824

 DIRECTOR

**THIS CERTIFICATE SHALL BE DISPLAYED AT THE PRINCIPAL PLACE
OF BUSINESS OF THE OPERATOR IN THE PROVINCE AND IS
NOT TRANSFERABLE**

Province of British Columbia

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

AFFIDAVIT

I, VINCENT FODERA of 1741 GRANT ST VANCOUVER
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: 015-502-091 THE SOUTH 75 FEET OF LOT 19 BLOCK 26 DISTRICT LOT 541 PLAN 210; PARCEL IDENTIFIER: 015-502-104 THE SOUTH 75 FEET OF LOT 20 BLOCK 26 DISTRICT LOT 541 PLAN 210 and civic address 347 WEST PENDER 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 every room ("room") on the property.

3. From and after October 23, 2003 to the date of this affidavit:

- (a) no permanent resident as defined in the By-law has occupied or customarily occupied any room as living accommodation as defined in the By-law;
- (b) no room is in a building or portion of a building classified under the *Assessment Act* of British Columbia or its regulations as Class 1 - residential; and
- (c) each room is in a building or portion of a building in respect of which the owner has an obligation to pay or remit hotel room tax under the *Hotel Room Tax Act* and its regulations.

Sworn before me at Vancouver,
British Columbia this 20 day of
November, 2003
[Signature]
A Commissioner for taking Affidavits
for British Columbia

[Signature: Vincent Fodera]

[For use by individual owner/all rooms]

#89854v1

JORDIAN L. WONG
Notary Public
100 East Pender Street
Vancouver, B.C. V6A 1T9

JORDIAN L. WONG
A Commissioner for taking
affidavits for British Columbia

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: 347 W. PENDER ST
Legal Description: Lot: 19 Subdivision: 015502-108 Block: 26 District Lot: 541 Plan: 210
Building Name: NEW BACKPACKERS HOTEL

2. Total number of rooms in the above building: 20 Proposed # of rooms to be exempt: 20 19

Floor level	# of rooms on this floor	Proposed Room Nos. to be exempt	(Attach separate sheet if more space required)
<u>1</u>	<u>9</u>	Room Nos. <u>9</u>	
<u>2</u>	<u>10</u>	Room Nos. <u>10</u>	
		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):
3 SET OF COPY OF 3TH FL.
3 SET OF COPY OF 2ND FL.
3 - 4TH FL.
3 EASEMENT - 1 COPY OF ASSESSMENT - 1 COPY PR. TAX
2 COPY OF RECEIPT 1 AFFIDAVIT

4. This application is based on the following reasons:
THE HOTEL HAS BEEN TRANSIENT ACCOMODATION FOR
OVER 10 YEARS AND ALSO 4 UNIT ARE OVER 320 SQ

5. 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):
VINCENT FODERA
1141 BRANT ST VANCOUVER BC V5L 2Y6

6. I am the: Property Owner Property/Building Manager Agent for owner Other
7. I file this application with the full consent of the owner(s).
8. I declare that the statements contained in this application and all attached documents and plans are true and correct.
Name of Applicant (Please print): VINCENT FODERA
Name of Company (if applicable):
Mailing Address: 1141 BRANT ST City: VANCOUVER Postal Code: V5L 2Y6
Telephone: 604 254 1462 Cell Phone: 761 39 30 Fax:

Signature of Applicant: Vincent Fodera Date: 21-11-02

Office Use: Application No. <u>SA 400004</u>	Date Received: <u>7/10/2002</u>
To Council: _____	From Council: _____
Decision: _____	