



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: April 7, 2009
Contact: Liza Jimenez
Contact No.: 604.873.7975
RTS No.: 08054
VanRIMS No.: 08-2000-20
Meeting Date: May 5, 2009

TO: Vancouver City Council
FROM: Managing Director of Social Development
SUBJECT: SRA Exemption Application for C&N Backpackers Hostel (927 Main)

RECOMMENDATION

THAT Council grant an exemption from the Single Room Accommodation By-law of all 39 units at 927 Main Street (C&N Backpackers Hostel).

GENERAL MANAGER'S COMMENTS

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

CITY MANAGER'S COMMENTS

The City Manager RECOMMENDS approval of the foregoing.

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 permanent residents do not occupy or customarily occupy as a living accommodation at the time of the By-law enactment. If the applicant satisfies Council that the requirements and conditions of exemption are met, Council must grant the exemption.

SUMMARY AND PURPOSE

This report recommends that Council approve an application for exemption with respect to all 39 designated rooms at 927 Main Street (C&N Backpackers Hostel) as the evidence shows that these rooms meet the exemption conditions as set out in the Single Room Accommodation By-law.

BACKGROUND

The Single Room Accommodation By-law is a tool that allows Council to manage the rate of change in the stock of low-income housing by considering each conversion or demolition on a case-by-case basis. The SRA By-law was approved by Council in response to concerns about the loss of low-cost housing stock in the Downtown Core.

C&N Backpackers Hostel is located on Main Street between Milross Street and Prior Street in East False Creek. The main floor of this 3-storey building is occupied by an antique retail business also owned by The Source Enterprises Limited. The second and third floors together comprise 39 units. This has been operating as a hostel since the early 1990's, this property is not on the Heritage Registry.



DISCUSSION

Application for Exemption

An owner of a building containing SRA-designated rooms may apply to exempt these rooms from the By-law provided that evidence is submitted, satisfactory to Council, that the designated rooms meet the exemption conditions that:

- a) the classification for the hotel under the Assessment Act and its regulations is 100% Class 6 - commercial/retail;
- b) the hotel is subject to and pays 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 hotel as living accommodation.

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

The applicant, The Source Enterprises Ltd., has applied to exempt all 39 units at C&N Backpackers Hostel located at 927 Main Street. C&N Backpackers Hostel was purchased by

The Source Enterprises Ltd. in 1990 and has been used primarily as a hotel for budget travellers, otherwise known as a hostel. The hotel was routinely captured in the bi-annual Survey of Low Income Housing in the Downtown Core as it served as permanent housing at times. Historically, in some surveys this building was noted to have been fully converted to a hostel as well as in other surveys it was noted as partially converted to a hostel. The SRA By-law is based on the 2003 Survey of Low Income Housing in the Downtown Core, at which time it was noted to have converted to a hostel by that time. The exemption provision in the SRA By-law allows owners to request that their property be exempt from SRA designation.

The owner has provided the necessary evidence to support her application for exemption of all 39 rooms at C&N Backpackers Hostel, see Appendix A. Under the SRA By-law, one of the conditions of exemption is that the rooms must not be in a building or portion of a building classified under the Assessment Act and its regulations as Class 1 - residential. Records from the BC Assessment Authority show that C&N Backpackers Hostel has been classified under the Act and its regulations as 100% Class 6 - commercial/retail before and after the enactment of the SRA By-law.

Another condition of exemption is that the rooms must be 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. Hotel room tax was not required to be remitted for C&N Backpackers Hostel because the charge per person is less than \$30/day and is therefore exempt from the paying the Hotel Room Tax.

The last condition of exemption set out in the By-law requires that the rooms are not occupied or customarily occupied by a permanent resident as living accommodations. To this end, the owners provided a sworn affidavit and daily & weekly rental ledgers for the necessary time periods as determined by staff. The evidence submitted shows that since the By-law enactment date, permanent residents as defined in the By-law have not occupied or customarily occupied the 39 rooms at the C&N Backpackers Hostel as living accommodation.

CONCLUSION

This report recommends that Council approve an application for exemption with respect to all 39 designated rooms at 927 Main Street (C&N Backpackers Hostel) as the evidence shows that these rooms meet the exemption conditions as set out in the Single Room Accommodation By-law.

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**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: 927 MAIN STREET
Legal Description: Lot 5-6 Subdivision _____ Block 23 District Lot 196 Plan 015-642 658
Building Name: C+N. BACK PACKERS HOSTEL

2. Total number of rooms in the above building: 39 Proposed # of rooms to be exempt: 39

Floor level	# of rooms on this floor	Proposed Room Nos. to be exempt	(Attach separate sheet if more space required)
<u>1</u>	<u>19</u>	<u>1 TO 20</u>	<u>(NO #13)</u>
<u>2</u>	<u>20</u>	<u>21 TO 40</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):
AFFIDAVIT - R.J. FALCONER, A.C.
B.C. ASSESSMENTS - 2003 - 2004 - 2005
DAILY SUMMARY SHEET - 2003 - 2004 - 2005 - 2006

(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):
THE SOURCE ENTERPRISES LTD.
DIRECTORS } LORRAINE SHORROCK - 1503 W. KING EDWARD AVE. VANCOUVER V6J 2V7
FRANK SHORROCK - " " " " " " " " " "

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): _____
Name of Company (if applicable): THE SOURCE ENTERPRISES LTD.
Mailing Address: 929 MAIN ST. City: VANCOUVER Postal Code: V6A 2V8
Telephone: 604-684-9914 Cell Phone: N/A Fax: N/A

Signature of Applicant: [Signature] Date: MAY 5/2008

Office Use:	Application No. <u>SA</u>	Date Received: _____
To Council: _____	Decision: _____	

Canada

Province of British Columbia

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

AFFIDAVIT

I, LORRAINE SWOROCK, of 1503 W. KING EDWARD AVE
(Print Name) (Print Address)

Vancouver, British Columbia, make oath and say as follows:

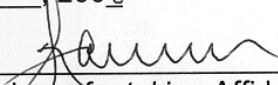
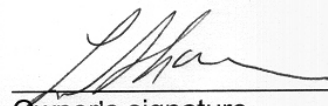
President of Source Enterprises Ltd

1. I am the registered owner of real property in Vancouver, British Columbia bearing the legal description LOT 5-6 BLOCK 23 DISTRICT LOT 196 PLAN 184 and civic address 927 Main 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 <u>7</u> day of <u>Nov</u> , 200 <u>8</u>  A Commissioner for taking Affidavits for British Columbia))))))))))	 Owner's signature
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*A Notary Public in and for the
Province of British Columbia*

Robert J. Falgout
(Commissioner's Stamp or Seal must be provided)
*Barrister & Solicitor
1123 - 401 Granville St
Vancouver B.C.*

