



## COUNCIL REPORT

Report Date: October 6, 2023  
Contact: Celine Mauboules  
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VanRIMS No.: 08-2000-20  
Meeting Date: October 17, 2023  
[Submit comments to Council](#)

TO: Vancouver City Council  
FROM: General Manager of Arts, Culture and Community Services  
SUBJECT: 1218 East Georgia Street – Single Room Accommodation (SRA) By-law  
Exemption Application and Removal of Designation

### Recommendations

- A. THAT Council grant an exemption from the Single Room Accommodation (SRA) By-law for four designated rooms at 1218 East Georgia Street.
- B. THAT Council remove the designation of one SRA designated room at 1218 East Georgia Street.
- C. THAT subject to approval of recommendations A and B and prior to the issuance of the SRA exemption and removal of designation, the owner enter into the following:
  - (i) Housing Agreement requiring all five units be secured as rental for 10 years;
  - (ii) Section 219 Covenant prohibiting stratification for 10 years;

FURTHER THAT, subject to the approval of recommendations A through C, the Director of Legal Services be instructed to prepare the necessary agreements described above in consultation with the General Manager of Arts, Culture and Community Services and to bring forward the by-law necessary to approve the housing agreement and remove the designation of the one room.

### Alternatives

- A. THAT Council grant an exemption from the Single Room Accommodation (SRA) By-law for four designated rooms at 1218 East Georgia Street, leaving one room designated under the SRA By-law.

## **Purpose and Executive Summary**

This report recommends approval of an exemption of four rooms and removing the designation of one room in the property located at 1218 East Georgia Street under the *Single Room Accommodation By-law* (“SRA By-law”) and *Vancouver Charter*. Staff recommend that Council approve an application to exempt four designated rooms because these units meet the exemption conditions as set out in Section 3.1 (b) and Section 3.4 of the SRA By-law. Furthermore, staff recommend that Council remove the designation of the remaining room on the condition of entering into a Housing Agreement and a Section 219 Covenant requiring all five rooms to remain as non-strata rental housing for a period of 10 years.

The report also provides Council with an option of approving the exemption of four rooms and leaving the remaining room that does not meet the exemption criteria designated under the SRA By-law.

## **Council Authority/Previous Decisions**

[Single Room Accommodation \(SRA\) By-law \(2003\)](#) – On October 21, 2003, Council enacted the SRA 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. If the applicant satisfies Council that the requirements for the exemption are met, Council must grant the exemption.

[Vancouver Charter \(1953\)](#) – Section 193 (D) of the Vancouver Charter gives Council the authority to designate and remove the designation of rooms under the SRA By-law. Vancouver Council may require an owner to agree to certain conditions of removing the designation, including a housing agreement.

## **City Manager’s Comments**

The City Manager concurs with the foregoing recommendations.

## **Context and Background**

### SRA By-law

The SRA By-law was enacted in 2003 to manage the rate of change in the low income housing stock in the Downtown Core by considering each conversion or demolition of rooms on a case-by-case basis. The SRA By-law designated all residential rooms and self-contained units in both private and non-market housing that were less than 320 sq. ft. and were located within the Downtown Core boundary.

The rooms that were designated under the SRA By-law were identified through the addresses listed in the 2003 Low-Income Housing Survey. Recognizing that some of the rooms designated were larger than 320 sq. ft. or were operating on a nightly basis as commercial hotels/hostels, Council included exemption provisions in the By-law which excludes all rooms that were greater than 320 sq. ft. from the date of enactment of the SRA By-law. If an applicant provides all the necessary documentation to support the exemption, Council is obligated to grant the exemption. The majority of exemptions were applied for by owners within a few years of enactment of the SRA By-law.

## 1218 E Georgia

1218 E Georgia Street is a 3-storey five unit property designated under the SRA By-law. The property is located on the south side of Georgia Street between Vernon and Clark Drives and is zoned RT-3, as shown in Figure 1 below. The property is listed on the Vancouver Heritage Register as a category “B”.

**Figure 1: Site and Context**



When the property was designated under the SRA By-law in 2003, it contained three housekeeping units and one dwelling unit, all over 320 sq. ft. Despite meeting the exemption criteria, the owner at the time did not apply for an exemption. A subsequent owner then renovated the upper level of the property, creating an additional room that is approximately 207 sq. ft. in size.

The current owner, Nordsail Properties Ltd. purchased the building in 2021 and submitted an application in April 2022 to exempt the four rooms that are over 320 sq. ft. from the SRA By-law. The owner is also seeking the removal of the designation of the fifth room (207 sq. ft.) in order to remove the entire property from the SRA By-law.

All five rooms are currently tenanted with long-term tenants and the average rent per month is approximately \$1,900.

## **Discussion**

### SRA Exemption

The application to exempt four rooms at 1218 E Georgia meets the exemption criteria under section 3.1 (b) of the SRA By-law because the four designated rooms have consisted of more than 320 sq. ft. since the SRA By-law was enacted. The owner has provided sufficient evidence of room sizes, including certified floor plans (see Appendix A). Under section 3.4 of the SRA By-law, Council must grant the exemption if it is satisfied that the designated rooms meet the exemption conditions.

### Removal of SRA Designation

Section 193 (D) of the Vancouver Charter gives Council the authority to designate rooms under the SRA By-law. This includes the power to remove or reverse the dedication. Council may approve the removal of a designation with or without conditions, including requiring the owner to enter into a Housing Agreement.

### Staff Recommendation

When the SRA By-law came into effect, all four rooms were over 320 sq. ft. and therefore the whole property would have been eligible for an exemption. The work undertaken after the SRA By-law came into effect created a room under 320 sq. ft., which is not eligible for an exemption.

Staff recommend that as a condition of removing the designation of the fifth room, all of the units must be secured as rental for a period of 10 years. After 10 years the owner could choose to redevelop and or stratify under the existing RT-3 zoning. Tenants on-site would be covered by the Tenant Relocation and Protection Policy (TRPP).

### Alternative Consideration

Staff have also provided Council with a consideration of leaving the remaining room that does not meet the exemption criteria designated under the SRA By-law. In this case, the room would remain rental due and subject to the SRA By-law. If the property owner chooses to pursue redevelopment/conversion of the property in the future, they would need to obtain an SRA permit, which could include a condition of replacing the unit, or a payment to the City's affordable housing reserve fund.

### **Financial Implications**

There are no financial implications associated with this report's recommendations.

### **Legal Implications**

This report recommends that Council approve an application for exemption for four of the five designated rooms at 1218 East Georgia Street, because they meet the exemption criteria in the SRA By-law. The report provides Council with an option to remove the designation of the fifth room on the condition that the owner enter into a 10 year Housing Agreement and a section 219 covenant to secure all rooms as non-strata rental; or keep the room designated under the SRA By-law.

\* \* \* \* \*

**APPENDIX A**



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

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

**Building Address:**

**1. Applicant and Building Information**

Date:	April 6, 2022	Applicant Name:	Andrew Charney	Building Owner:	Varcoed Properties Limited Partnership
Phone:	2366689895	Email:	a.charney@gmail.com		
Building #:	1218	Street:	E Georgia	City:	Vancouver
				Postal Code:	V6A 2B1
Legal Description of Site (PID):	PID: 14596601, Description of Site: LOT 2, BLOCK A, PLAN VAP176, PART E1/2, DISTRICT LOT 182, NEW WESTMINSTER LAND DISTRICT, EXC S 10 FT				

**2. Exemption Request**

Total number of rooms in the above building	5
Proposed # of rooms to be exempt:	4

**3. Exemption Request Room Table**

Floor Level	# of rooms on this floor	Proposed Room Nos. to be exempt
1	2	2 (units 1+2)
2	2	1 (unit 4)
3	1	1 (unit 5)

**4. 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" attached to this form):**

1. Floor plans (with unit numbers and sizing)
2. Certificate of Incorporation
3. Vancouver Property Information - Occupancy

(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.)

\*Please See the Reverse Side of this application to continue\*

**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):**

Director and General Partner: Andrew Charney, 1828 E 13th Ave., Vancouver, BC, V5N 2C1

Associates:  
1. Sarioso Holdings (sole owner is Sara Charney), 28 Wells Hill Ave., Toronto, ON., M5R 3A6  
2. Tom Storey, 8 Longboat Ave, Toronto, ON., M5A 4E1

6. I am the:  Property Owner     Property/Building Manager     Agent for owner

7. I file this application with the full consent of the owner(s). Please Initial *al*

8. I declare that the statements contained in this application and all attached documents and plans are true and correct. Please Initial *al*

**Applicant information:**

Applicant Name	Andrew Charney	Name of Company if Applicable	Nordsail Properties LP		
Mailing Address	1828 E 13th Ave.	City:	Vancouver	Postal Code:	V5N 2C1
Phone Number:	236-668-9895	Email	a.charney@gmail.com		

Signature of Applicant: *[Signature]* Date: *April 6, 2022*

Canada

Province of British Columbia

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

AFFIDAVIT



I, Andrew Charney, of 2063 W 10th Ave., Vancouver, British Columbia, make oath and say as follows:

1. I am the shareholder and director of Nordsail Properties (GP) Ltd., registered owner of real property in Vancouver, British Columbia bearing the legal description PID 014-596-601, THE EAST 1/2 CF LOT 2, EXCEPT THE SOUTH 10 FEET NOW LAND, OF LOT 19 BLOCK A DISTRICT LOT 182 PLAN 176 and civic address 1218 East Georgia St, Vancouver, BC V5W 3H1, and as such have personal knowledge of the matters to which I depose in this affidavit.

2. I wish to exempt the following rooms in the building as they meet the exemption criteria under Section 3.1 (b) and 3.4 of the SRA By-law:

Room Nos:

1 (one), 2 (two), 4 (four), and 5 (five)

Sworn before me at Vancouver, British Columbia this <u>16<sup>th</sup></u> day of <u>August</u> , 20 <u>23</u>   _____ A Commissioner for taking Affidavits for British Columbia	) ) Andrew Charney, ) Authorized signatory for ) Nordsail Properties (GP) ) Ltd. ) )  ) Owner's signature
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(Commissioner's Stamp or Seal must be provided)

Chris Jackson  
Peterson Group - General Counsel  
Barrister & Solicitor  
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604.688.4885

