

File No.: 04-1000-20-2017-218

July 14, 2017

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of June 5, 2017 for:

Any emails or internal communications mentioning the Balmoral Hotel between May 1, 2017 and June 2, 2017 to or from:

1. Mayor Gregor Robertson
2. Sadhu Johnston, City Manager
3. Luke Harrison, VAHA Director

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.13(1), s.14, and s.22(1) of the Act. You can read or download this section here:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Please note: Luke Harrison was not involved with the Balmoral Hotel and therefore does not have any responsive records as per your request.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2017-218); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information

Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4
Phone: 604.873.7999
Fax: 604.873.7419

Encl.

:cf

From: "[Schwebs, Saul](mailto:Saul.Schwebs@vancouver.ca)" <Saul.Schwebs@vancouver.ca>

To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>
"[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>
"[Krishna, Kaye](mailto:Kaye.Krishna@vancouver.ca)" <Kaye.Krishna@vancouver.ca>
"[Llewellyn-Thomas, Kathleen](mailto:Kathleen.Llewellyn-Thomas@vancouver.ca)" <Kathleen.Llewellyn-Thomas@vancouver.ca>
"[Holm, Kathryn](mailto:Kathryn.Holm@vancouver.ca)" <Kathryn.Holm@vancouver.ca>
"[Ryan, Pat \ \(CBO\)](mailto:patrick.ryan@vancouver.ca)" <patrick.ryan@vancouver.ca>
"[Urekar, Lynn](mailto:lynn.urekar@vancouver.ca)" <lynn.urekar@vancouver.ca>
"[Renning, Rob](mailto:rob.renning@vancouver.ca)" <rob.renning@vancouver.ca>
"[Cheung, Rick](mailto:rick.cheung@vancouver.ca)" <rick.cheung@vancouver.ca>
"[Bryant, Raymond](mailto:Raymond.Bryant@vancouver.ca)" <Raymond.Bryant@vancouver.ca>
"[Jasper, Kirsten](mailto:Kirsten.Jasper@vancouver.ca)" <Kirsten.Jasper@vancouver.ca>
"[Collister, Mike](mailto:mike.collister@vancouver.ca)" <mike.collister@vancouver.ca>
"[Anderson, Kelly](mailto:Kelly.Anderson@vancouver.ca)" <Kelly.Anderson@vancouver.ca>
"[Dixon, Iain](mailto:iain.dixon@vancouver.ca)" <iain.dixon@vancouver.ca>
"[Stevens, Daniel](mailto:Daniel.Stevens@vancouver.ca)" <Daniel.Stevens@vancouver.ca>
"[Postma, Tobin](mailto:Tobin.Postma@vancouver.ca)" <Tobin.Postma@vancouver.ca>
"[Innes, Becky](mailto:becky.innes@vancouver.ca)" <becky.innes@vancouver.ca>
"[Hamilton, Tom](mailto:tom.hamilton@vancouver.ca)" <tom.hamilton@vancouver.ca>
"[Peet, Bruce](mailto:bruce.peet@vancouver.ca)" <bruce.peet@vancouver.ca>

Date: 5/30/2017 11:57:24 AM

Subject: Balmoral - Building response status report

The following is an update of the DBL's response to the situation at the Balmoral:

- We have spoken with Mark Emanuel, the engineer managing the project for the Shaotas, who is generally supportive of our approach – decanting the building. He will counsel his clients as such, but will not provide a letter.
 - Lynn Urekar and I are meeting engineers from Glotman Simpson (structural) and LMDG (code consultants) at the Balmoral at 1:00 today to conduct a third-party review of the structural and life safety systems.
- s.14
- Lynn is following up with the Sahotas to ensure the fire watch is in place – she will coordinate with VRFS as needed.
 - We asked the Sahotas to prepare vacant rooms in their other properties to accommodate displaced Balmoral residents and made them aware of the orders for third-party review.

Updates to follow as necessary.

Saul Schwebs

Assistant Director - Building & Trades Inspections
Development, Building and Licensing
City of Vancouver

604.873.7040

Our Purpose is to regulate, administer and enforce quality building to ensure the public's health, safety, accessibility and environmental needs are consistently met.



Please consider the environment before you print.

From: "[Schwebs, Saul](mailto:Saul.Schwebs@vancouver.ca)" <Saul.Schwebs@vancouver.ca>

To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>

["Mochrie, Paul"](mailto:Paul.Mochrie@vancouver.ca) <Paul.Mochrie@vancouver.ca>

["Krishna, Kaye"](mailto:Kaye.Krishna@vancouver.ca) <Kaye.Krishna@vancouver.ca>

["Llewellyn-Thomas, Kathleen"](mailto:Kathleen.Llewellyn-Thomas@vancouver.ca) <Kathleen.Llewellyn-Thomas@vancouver.ca>

["Holm, Kathryn"](mailto:Kathryn.Holm@vancouver.ca) <Kathryn.Holm@vancouver.ca>

["Ryan, Pat \ \(CBO\)"](mailto:patrick.ryan@vancouver.ca) <patrick.ryan@vancouver.ca>

["Urekar, Lynn"](mailto:lynn.urekar@vancouver.ca) <lynn.urekar@vancouver.ca>

["Renning, Rob"](mailto:rob.renning@vancouver.ca) <rob.renning@vancouver.ca>

["Cheung, Rick"](mailto:rick.cheung@vancouver.ca) <rick.cheung@vancouver.ca>

["Bryant, Raymond"](mailto:Raymond.Bryant@vancouver.ca) <Raymond.Bryant@vancouver.ca>

["Jasper, Kirsten"](mailto:Kirsten.Jasper@vancouver.ca) <Kirsten.Jasper@vancouver.ca>

["Collister, Mike"](mailto:mike.collister@vancouver.ca) <mike.collister@vancouver.ca>

["Anderson, Kelly"](mailto:Kelly.Anderson@vancouver.ca) <Kelly.Anderson@vancouver.ca>

["Dixon, Iain"](mailto:iain.dixon@vancouver.ca) <iain.dixon@vancouver.ca>

["Stevens, Daniel"](mailto:Daniel.Stevens@vancouver.ca) <Daniel.Stevens@vancouver.ca>

["Postma, Tobin"](mailto:Tobin.Postma@vancouver.ca) <Tobin.Postma@vancouver.ca>

["Innes, Becky"](mailto:becky.innes@vancouver.ca) <becky.innes@vancouver.ca>

["Hamilton, Tom"](mailto:tom.hamilton@vancouver.ca) <tom.hamilton@vancouver.ca>

["Peet, Bruce"](mailto:bruce.peet@vancouver.ca) <bruce.peet@vancouver.ca>

Date: 5/29/2017 5:48:40 PM

Subject: Balmoral update

Kelly Anderson and I met the owners, as well as Andrew McClellan, the structural engineer conducting the review of the building, and Mark Emmanuel, the engineer managing the project for the owners. We attended the site to review the condition of the building's structure at the bathrooms at the north end of the building. After observing conditions in these areas, we were sufficiently concerned to conduct a review of several other areas. Based on the conditions we observed today, we recommend evacuating the building to prudently assess and repair the damage and to mitigate the ongoing risk to occupants.

As Andrew noted in his report received last week, the floor structure, where exposed for viewing from below, is significantly compromised due to long term water damage. Only a small sample of bathroom ceilings have been exposed for review, but each one revealed significant decay, ongoing water moving through the structure and a severely compromised structural system. We expect similar conditions exist in all the other bathrooms. Also, because each room has its own sink and the building is heated by radiators, we observed water damage in many areas away from the bathrooms as well, as evidenced by significant mold throughout the building and water observed running from a broken sink drain directly into a wall. Andrew agrees that there is a high probability of a structural collapse of some magnitude, at some point.

Mark and Andrew are of the opinion that the bathroom structures can be repaired on a floor by floor basis with the building occupied. This would require pulling down the ceiling in each bathroom to identify the solid structure that could be used to support the floor above and installing shoring beams and jacks in each bathroom space to hold up the ceiling. However, the existing structure is illogical and inconsistent, has been modified piece-meal over time and is not yet entirely understood by Andrew. This means that the structure of each individual bathroom will have to be revealed and analyzed before shoring. Moreover, given the evidence of water damage elsewhere, the same process of exposing the structure and shoring may be required throughout the building. If done on a floor by floor basis, this work would be far more expensive, take longer and be extremely disruptive to occupants.

Other issues include non-compliant exit stairs, lack of fire separations throughout and disturbing electrical work. What's more building management is failing to comply with a fire watch order put in place due to a malfunctioning fire alarm system. These conditions exacerbate what we consider to be an unsafe situation.

Regards,

Saul Schwebs

Assistant Director - Building & Trades Inspections

Development, Building and Licensing

City of Vancouver

604.873.7040

Our Purpose is to regulate, administer and enforce quality building to ensure the public's health, safety, accessibility and environmental needs are consistently met.



Please consider the environment before you print.

From: "[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>

To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>

Date: 5/31/2017 8:45:29 PM

Subject: Balmoral

Hi Sadhu,

I am writing with an update on the above file. The key points are as follows:

- the structural engineer engaged by the city has now provided a signed and stamped report detailing a host of problems and a number of recommendations. He has concluded that the building is not safe for occupancy and is indicating that residents should be moved out within the next 1-2 weeks. I will forward that report separately.

s.13(1), s.14

- given the owners' limited capacity to deal with the practical implications of a building closure order, staff have been in contact with BCH and VCH to brief them and initiate the necessary planning on their end. Kathleen has spoken directly with Craig Crawford and apparently had a very constructive conversation. However, there is a lot more work required on this facet of the file tomorrow. We have a preliminary plan for tenant support, but BCH and VCH play critical roles and will need to step in.

- re timing, Pat et al will be drafting the order over the course of the day tomorrow. Our staff, as well as VCH and BCH, have identified that issuing the order late Friday or over the weekend would be problematic, notwithstanding any period of notice that may be provided for the owners and tenants to clear the building. Timing is another key issue that we need to deal with tomorrow.

- VFRS is monitoring the fire safety risks closely.

I have drafted an interim update to Council, as attached below. I did not want to send without your review.

This file will be priority one for me tomorrow and going forward. We have established a central operations room at West Annex as of tomorrow am and have Daniel and his team on deck for support. Please give me a call at any point to discuss. Of course, I will also connect before any key decisions are nailed down.

Thanks,
Paul

Dear Mayor and Council,

I am writing to provide an update on our ongoing assessment of the Balmoral Hotel in regards to structural integrity and other safety concerns. As we communicated on Friday, a consulting engineer engaged by the building owner identified significant water damage they has compromised wooden structural elements around the bathrooms on each floor. On Friday evening, City staff disabled the water supply to all of the bathtubs to mitigate the risk that the weight of a full bathtub might result in a localized floor collapse.

As indicated in the Information Bulletin issued yesterday, we have taken the step of engaging a different structural engineering consultant as well as specialist building code consultants to provide an independent assessment of the building to the City. The initial feedback received from those reviews confirms that there are serious structural deficiencies that require action. We are continuing to review those reports and evaluate the implications for the building and its occupants. However, from all the information we have available at this time, it does not appear feasible to address the immediate risk and remedy the structural issues while the building is occupied.

Apart from the structural deficiencies, VFRS has identified a number of life safety risks associated with inadequate fire protection in the building. The owner has been ordered to establish and maintain a fire watch and VFRS is closely monitoring compliance with that order. Given the level of risk, we are also making contingency arrangements for a fire watch using contracted security personnel and will implement those arrangements if the owner does not maintain compliance.

Should it become necessary for the Chief Building Official to order the closure of the building on the basis of serious and imminent safety risks, the owner would be obligated by the Residential Tenancy Act to provide tenants with notice or alternate accommodation for 30 days beyond the end of the current month of tenancy. The owner would also be responsible to have the building vacated. Even though an order has not been issued at this point, staff have met with the owner and outlined the above requirements. While the owner has acknowledged their legal obligations, there is significant uncertainty regarding their practical capacity to fulfill those requirements.

With respect to communication with tenants, we provided a notice on Friday evening explaining the basis for the City's action in disabling the bathtubs in the building. We also issued a follow up communication on Tuesday evening confirming that the City had commissioned independent professional assessments of the building and any risks to tenants.

We are in contact with BC Housing and Vancouver Coastal Health and, if it becomes necessary, will be working closely with those partners to support any tenant relocation efforts.

This issue continues to evolve at a rapid pace as we obtain and respond to new information. We will keep you apprised of further developments as they occur.

From: "[Robb, Katie](mailto:Katie.Robb@vancouver.ca)" <Katie.Robb@vancouver.ca>

To: "[Johnston, Sadhu](#)"

Date: 6/1/2017 11:01:04 AM

Subject: For Immediate Release: Mayor Robertson's Statement on the Balmoral Hotel

Office of the Mayor

[For Immediate Release](#)

Mayor Robertson's Statement on the Balmoral Hotel

"The living conditions in the Balmoral Hotel, a single-room occupancy hotel owned by the Sahota family, are disgusting - no resident of Vancouver should have to live in housing like that. The repeated building and safety violations are putting some of our most vulnerable residents at risk and are a massive strain on City resources.

"Since November, the City has referred more than 150 issues at the Balmoral to prosecution. However, we've seen in the past that these prosecutions don't always get landlords to change their behaviour. We have also required them to make over a \$1M in structural repairs to the first floor bar and building envelope and to hire professional engineers to conduct a full assessment of the building. Our staff are looking at every possible legal and regulatory tool we have available to force the Sahota family to improve the Balmoral and hold them accountable for ignoring City by-laws. We are also looking at what tools a new provincial government could provide us to ensure low-income housing is protected and negligent landlords are held responsible for letting their buildings fall into disrepair."

- 30 -

Katie Robb

Director of Communications

Office of the Mayor | City of Vancouver

Office: 604.873.7490 | Cell: 778.918.7973

Mayorofvancouver.ca

On May 31, 2017, at 9:27 PM, Johnston, Sadhu <Sadhu.Johnston@vancouver.ca> wrote:

CONFIDENTIAL

Greetings Mayor and Council,

I am writing to provide an update on our ongoing assessment of the Balmoral Hotel in regards to structural integrity and other safety concerns. As we communicated on Friday, a consulting engineer engaged by the building owner identified significant water damage that has compromised wooden structural elements around the bathrooms on each floor. On Friday evening, City staff disabled the water supply to all of the bathtubs to mitigate the risk that the weight of a full bathtub might result in a localized floor collapse.

As indicated in the Information Bulletin issued yesterday, we have taken the step of engaging a different structural engineering consultant as well as specialist building code consultants to provide an independent assessment of the building to the City. The initial feedback received from those reviews confirms that there are serious structural deficiencies that require action. We are continuing to review those reports and evaluate the implications for the building and its occupants. However, from all the information we have available at this time, it does not appear feasible to address the immediate risk and remedy the structural issues while the building is occupied.

Apart from the structural deficiencies, VFRS has identified a number of life safety risks associated with inadequate fire protection in the building. The owner has been ordered to establish and maintain a fire watch and VFRS is closely monitoring compliance with that order. Given the level of risk, we are also making contingency arrangements for a fire watch using

contracted security personnel and will implement those arrangements if the owner does not maintain compliance.

Should it become necessary for the Chief Building Official to order the closure of the building on the basis of serious and imminent safety risks, the owner would be obligated by the Residential Tenancy Act to provide tenants with notice or alternate accommodation for 30 days beyond the end of the current month of tenancy. The owner would also be responsible to have the building vacated. Even though an order has not been issued at this point, staff have met with the owner and outlined the above requirements. While the owner has acknowledged their legal obligations, there is significant uncertainty regarding their practical capacity to fulfill those requirements.

With respect to communication with tenants, we provided a notice on Friday evening explaining the basis for the City's action in disabling the bathtubs in the building. We also issued a follow up communication on Tuesday evening confirming that the City had commissioned independent professional assessments of the building and any risks to tenants.

We are in contact with BC Housing and Vancouver Coastal Health and, if it becomes necessary, will be working closely with those partners to support any tenant relocation efforts.

This issue continues to evolve at a rapid pace as we obtain and respond to new information. We will keep you apprised of further developments as they occur.

Best

Sadhu

Sadhu Afochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: sadhuajohnston

From: "[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>
To: "[Kendall-Craden, Rena](mailto:Rena.Kendall-Craden@vancouver.ca)" <Rena.Kendall-Craden@vancouver.ca>
Date: 6/1/2017 10:54:48 AM
Subject: FW: draft balmoral statement

From: Krishna, Kaye
Sent: Thursday, June 01, 2017 10:30 AM
To: Mochrie, Paul; Johnston, Sadhu
Cc: Quinlan, Kevin; Robertson, G; Robb, Katie
Subject: RE: draft balmoral statement

Minor edit suggested:

"The living conditions in the Balmoral Hotel, a single-room occupancy hotel owned by the Sahota family, are disgusting and no resident of Vancouver should have to live in housing like that. The repeated building and safety violations are putting some of our most vulnerable residents at risk and are a massive strain on City resources.

"Since November, the City has referred more than 150 issues at the Balmoral to prosecution. However, we've seen in the past that these prosecutions don't always get landlords to change their behaviour. **We have also required them to make over a \$1M in structural repairs to the first floor bar and building envelope and to hire professional engineers to conduct a full assessment of the building.** Our staff are looking at every possible **regulatory and** legal tool we have available to force the Sahota family to improve the Balmoral and hold them accountable for ignoring City by-laws. We are also looking at what tools a new provincial government could provide us to ensure low-income housing is protected and negligent landlords are held responsible for letting
o disrepair."



CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. This message is private and protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution, or the taking of any action based on the contents of this information, is strictly prohibited.

From: Mochrie, Paul
Sent: Thursday, June 1, 2017 10:20 AM
To: Johnston, Sadhu
Cc: Quinlan, Kevin; Robertson, G; Krishna, Kaye; Robb, Katie
Subject: Re: draft balmoral statement

Looks good to me also. No suggestions.

Paul

On Jun 1, 2017, at 10:12 AM, Johnston, Sadhu <Sadhu.Johnston@vancouver.ca> wrote:

Looks good.

S

Sadhu Afochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: sadhuajohnston

From: Quinlan, Kevin
Sent: Thursday, June 1, 2017 12:36 PM
To: Robertson, G
Cc: Johnston, Sadhu; Mochrie, Paul; Krishna, Kaye; Robb, Katie
Subject: Fwd: draft balmoral statement

Here is a draft of the statement we'd like to put out this morning - s.13(1)
s.13(1)

Kq

Sent from my iPhone

Begin forwarded message:

From: Kevin Quinlan s.22(1)
Date: June 1, 2017 at 9:15:38 AM PDT
To: kevin.quinlan <kevin.quinlan@vancouver.ca>
Subject: draft balmoral statement

"The living conditions in the Balmoral Hotel, a single-room occupancy hotel owned by the Sahota family, are disgusting and no resident of Vancouver should have to live in housing like that. The repeated building and safety violations are putting some of our most vulnerable residents at risk and are a massive strain on City resources.

"Since November, the City has referred more than 150 issues at the Balmoral to prosecution. However, we've seen in the past that these prosecutions don't always get landlords to change their behaviour. Our staff are looking at every possible legal tool we have available to force the Sahota family to improve the Balmoral and hold them accountable for ignoring City by-laws. We are also looking at what tools a new provincial government could provide us to ensure low-income housing is protected and negligent landlords are held responsible for letting their buildings fall into disrepair."

From: "[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>
To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>
Date: 6/2/2017 9:50:37 AM
Subject: FW: IB on balmoral

FYI – revised version.
Paul

From: Sandhu, Jag
Sent: Friday, June 02, 2017 9:36 AM
To: Quinlan, Kevin; Robb, Katie
Cc: Mochrie, Paul; Krishna, Kaye; Llewellyn-Thomas, Kathleen; Kendall-Craden, Rena
Subject: IB on balmoral

Hi Kevin/Katie

Here's the IB on Balmoral we will issue at 11am lining it up with our media avail downstairs.

City of Vancouver
Information Bulletin
June 2, 2016

City of Vancouver moves to evacuate and relocate Balmoral Hotel residents from imminent danger

The City of Vancouver's Chief Building Official has determined that the structural and fire concerns at the Balmoral constitute an unsafe condition and has issued an order pursuant to the Vancouver Building Bylaw directing that occupancy of the Balmoral cease as of June 12 and that the repairs be undertaken to ensure that the building does not collapse. The City expects the owners to immediately commence the repair work once the tenants are safely out of the building and is prepared to undertake the work and charge the costs to the owners if they do not comply.

The goal of the City of Vancouver is to ensure the building is rehabilitated and can be safely reoccupied as soon as possible. City is reviewing what additional legal tools or resources may be available from a new provincial government.

Evacuating and relocating tenants from the Balmoral was a last resort decision but it is clear from the professional assessment of the building that the imminent risk is too great for the residents to remain.

While it is the owners' legal obligation to support tenants with relocation under the *Residential Tenancy Act*, the City, BC Housing, Vancouver Coastal Health, tenant advocates, and other community partners will provide supplemental support to help tenants find alternate housing and get access to other supports. The supports will be available immediately upon today's Order issuance and over the course of the coming days and weeks as tenants move out of the building.

The Balmoral, at 159 Hastings Street, is a 176 room Single Room Accommodation ("SRA") hotel that serves low income tenants on the Downtown East Side. The building is owned by the Sahota family and has been a significant problem for both the VPD and the City for decades. Over

recent years, the conditions of the building have deteriorated and have become unacceptable for tenants.

Once the building is stabilized, engineers will continue to assess the full scale of damage and required work. Once the scope of work is better understood, City staff will pursue all available means to ensure the building is remediated.

The City is committed to ensuring that important SRA and social housing stock is available for Vancouver residents like the people who live at the Balmoral Hotel. Vancouver City Council has allocated \$2Million in the 2015-2018 Capital Plan for upgrades to private SRO's. We are also working with our partner BC Housing who has demonstrated their commitment to affordability through their investment of \$147 million for the renovation of 13 SRO's comprising almost 900 rooms in the City of Vancouver

As a prerequisite for any funding contribution, the City would require an agreement between the owner and a non-profit operator to manage the building, which will improve supports and quality of life for all tenants. Although the current state of the building is deplorable and unfit for occupation, the Balmoral represents a critical source of housing for low-income residents. The City is seeking to preserve this stock for residents over the long term, in safe and acceptable conditions.

-30-

Background

The Balmoral, at 159 Hastings Street, is a 171-room Single-Room Accommodation ("SRA") hotel that serves low income tenants on the Downtown East Side. The building is owned by the Sahota family and has been a significant problem for both the Vancouver Police Department (VPD) and the City of Vancouver for decades. Over recent years, the conditions of the building have deteriorated and have become unacceptable for tenants.

In early 2016, the City escalated enforcement efforts in the Balmoral.

In June 2016, inspection identified deterioration of a beam in the basement and the City ordered an emergency engineering review. The review concluded that the basement, main floor and mezzanine were unsafe to occupy, and all were ordered to be vacated by the CBO. This structural issue was resolved but the basement of the Balmoral has not been re-occupied.

In the fall of 2016, the City launched proactive enforcement in the most at-risk buildings in the City, and the Balmoral topped the list. The City increased the frequency of inspections of the building with a cross-functional team from VPD, Vancouver Fire and Rescue Services, and staff from the City's Buildings, and Property Use team. This team proactively reviewed the building for fire, safety, structural, and standards of maintenance issues and wrote orders for noncompliance.

From November 2016 through May 2017, the City generated eight inspection reports and wrote seven orders, to address 183 outstanding deficiencies. The City sought to work with the owners to correct the orders.

The total number of outstanding orders is currently six, representing 150 outstanding

deficiencies. 64 of those deficiencies have already been referred for prosecution. Two of these orders from the Chief Building Official in March and April 2017 were to direct the owners to address the remediation work recommended in a structural engineering report and building envelope condition report conducted in November 2016.

On May 26 the professional engineering firm retained by the owners delivered a concerning report to the City which suggested that the building's overall structure may be compromised due to water damage and rot. In response to this report the City engaged an independent third party structural engineer and a building code engineer's consultant. These independent experts provided reports which concluded that there is a considerable life safety risk in continuing to occupy the Balmoral, particularly near the bathrooms which appear to have the greatest rot. The reports indicate that the building cannot remain occupied while remediation and further investigation occur and recommend that the Balmoral be emptied until repairs can be undertaken to address these life safety issues. The reports from the professional consultants retained by the City are available on the city's website: **NEED LINK FROM IT**

Thanks,

Jag Sandhu

Corporate Communications | City of Vancouver

453 West 12th Avenue

Vancouver BC V5Y 1V4

Office 604.871.6899

Cell 604-396-1012

jag.sandhu@vancouver.ca

From: ["Johnston, Sadhu" <Sadhu.Johnston@vancouver.ca>](mailto:Sadhu.Johnston@vancouver.ca)

To: ["Robertson, G" <G.Robertson@vancouver.ca>](mailto:G.Robertson@vancouver.ca)

Date: 6/2/2017 8:47:11 AM

Subject: Fw: Memo to Council - Balmoral Hotel

Attachments: Memo to Council - Balmoral Hotel.docx

Hi

Here's the summary of where we're at. We are refining this for sending to council shortly...

S.

Sadhu Afochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: [sadhuajohnston](https://twitter.com/sadhuajohnston)

Memo

To: Mayor and Council

I am writing to provide an update on the City's action to address safety issues and unacceptable living conditions for tenants in the Balmoral Hotel. In summary, recent assessments of the building by City staff and independent professionals have identified serious and immediate risks to occupants, including structural deficiencies and inadequate fire protection. Based on those assessments and the recommendations of the independent structural engineering consultant retained by the City, the Chief Building Official (CBO) has declared the building unsafe for occupancy. An order will be issued to the owner today requiring the evacuation of the building by June 12, 2017 and requiring immediate action to install shoring within the building and stabilize the structure to allow for further detailed assessment. A copy of the CBO's order is attached for your information.

Additional detail regarding the history of this building, the authority under which the CBO has ordered the cessation of occupancy and the steps that the City is taking to support tenants is provided below.

Background

The Balmoral Hotel at 159 Hastings Street is a Single Room Accommodation hotel ("SRA") owned by Balmoral Hotel Ltd. (the "Balmoral"). Balmoral Hotel Ltd. is controlled by members of the Sahota family. The Balmoral serves a hard to house clientele and the building has been a significant problem for both the VPD and the City for a considerable period of time.

On October 19, 2016 a lawsuit was filed by Jason Gratl on behalf of Harold Jay Slaunwhite in which he is seeking to have a class action certified on behalf of the tenants of the Balmoral. The lawsuit seeks damages against the owners of the Balmoral and an order compelling the City to enforce the *Standards of Maintenance Bylaw*. The lawsuit is similar to one commenced by Mr. Gratl relating to the Regent Hotel but the Balmoral lawsuit has not progressed since the initial filing.

The City's enforcement of the *Standards of Maintenance Bylaw* is done by the City's Property Use Inspectors (PUIs) who conduct comprehensive annual inspections of SRAs, to determine ongoing compliance with the *Standards of Maintenance By-law*. Annual inspections of SRAs have been conducted since 2013. Prior to that, inspections of larger SRAs were conducted at the discretion of the PUI, though mostly on a semi-annual inspection cycle.

In addition, PUIs will address complaints from tenants as received, related to room issues such as pest control, non-functioning door locks, etc. If these complaints are addressed, they do not result in the issuance of letters or orders.

Inspections of the Balmoral Hotel over the last 30 years have consistently revealed *Standards of Maintenance Bylaw* issues. Many of the specific violations noted by the PUI have been resolved once they have been brought to the attention of the owners of the Balmoral. Certain violations that have not been resolved in a timely manner have been referred to prosecution and the City prosecutor is currently reviewing a number of proposed charges related to the Balmoral.

Since 2014, inspectors have identified and ordered remediation of over 740 violations of the Standards of Maintenance By-law. The City has also issued multiple orders relating to the building structure, as set out below.

As part of renewed enforcement efforts by City staff the owners of the Balmoral agreed to engage an engineering firm to oversee renovation work at the Balmoral. Spratt Emanuel were retained to carry out this work and they have been providing periodic reports to the building owners who have in turn shared those reports with City staff.

In June 2016 a structural issue was discovered in the basement, main floor and mezzanine of the Balmoral by Spratt Emanuel. The basement was declared unsafe to occupy and an order to vacate the basement was issued by the Chief Building Official. This structural issue was resolved but the basement of the Balmoral has not been re-occupied.

On May 26, 2017, the City received a concerning report from Spratt Emanuel which suggested that the building's overall structure may be compromised due to rot. In response to this report the City engaged an independent third party engineer and a code consultant. These independent experts provided reports which are attached to this memo.

In summary the reports state that there is a considerable life safety risk in continuing to occupy the Balmoral. The reports indicate that the Balmoral should be emptied until repairs can be undertaken to address these life safety issues.

CBO Authority

The Chief Building Official has the authority to order that the occupancy of a building in the City of Vancouver cease if he believes there to be an "unsafe condition":

Section 1.5.4.2 of the *Vancouver Building Bylaw*

Scope of Orders

- 1) The Chief Building Official may order:
 - g) the cessation of any occupancy if an unsafe condition exists

Unsafe Condition is defined as:

any condition that could cause undue hazard or risk to life, limb or health of any person authorized, expected, or anticipated to be on or about premises or a building or construction.

The Chief Building Official has determined that the structural and fire concerns at the Balmoral constitute an unsafe condition and he has issued an order pursuant to the *Vancouver Building Bylaw* directing that occupancy of the Balmoral cease as of June 12 and that the repairs be undertaken to ensure that the building does not collapse. Should individual tenants refuse to vacate the building, City would be forced to apply to court to enforce the evacuation order.

Implications for Tenants of the Balmoral

City staff understand that the Balmoral tenants are a vulnerable population with significant housing challenges; the evacuation of the building represents a measure of last resort that is being undertaken only on the basis of the imminent risk to those tenants' safety. The owners of the Balmoral have a responsibility to the tenants to provide them with accommodation pursuant to their tenancy agreements. Under the circumstances of the present emergency order to evacuate the building, that responsibility extends through to the end of July 2017. The failure of the Balmoral owners to provide accommodation to the tenants would be a violation of the *Residential Tenancy Act* and would likely entitle the tenants to compensation.

Tenants will be encouraged to contact the owners of the Balmoral Hotel directly to discuss how this order will affect their tenancy and alternative accommodation. However, notwithstanding the owners' statutory obligations, City staff expect that the building owners and the tenants will have difficulty coping with this abrupt cessation of occupancy and the need to find alternative accommodation. Staff recognize the stress this situation will create for tenants currently living at the Balmoral Hotel and, working in partnership with BC Housing and Vancouver Coastal Health, we have developed an evacuation and relocation plan to support them.

The plan includes the following elements:

- Staff have identified more than 150 housing vacancies (within the non-market and private housing stock) and emergency shelter beds as options for immediate relocation.
- Staff teams will be present on-site at the Balmoral Hotel and at a newly established triage centre, beginning at 9am on Friday, June 2nd. Staff teams, including Carnegie Outreach, Building Inspectors, BC Housing, Vancouver Coastal Health, will provide tenants with information and direct them to housing and shelter options.

Staff will also assist with transportation of belongings and will provide health and social services as needed.

The staff teams will be supported by the Vancouver Police Department and the Vancouver Fire and Rescue Services, as required.

Management of this situation and the impact on vulnerable tenants will require a significant effort on the part of City staff and VPD members over the coming weeks. We will keep Council apprised of developments as they occur. As indicated above, the order to cease occupancy of the Balmoral is a measure that the CBO is taking only in the face of immediate and dire safety risks. We are reviewing all available avenues to ensure that this much-needed low-income housing stock is restored to a condition that is acceptable for occupancy.

If you have any questions at this time, please do not hesitate to contact me, Kaye Krishna or Kathleen Llewellyn-Thomas.

Paul Mochrie
Deputy City Manager

From: "Krishna, Kaye" <Kaye.Krishna@vancouver.ca>

To: "Johnston, Sadhu" <Sadhu.Johnston@vancouver.ca>

Date: 5/26/2017 9:37:46 PM

Subject: Fw: Notice to Tenants Ready to Go - Balmoral Hotel

Attachments: Letter to Tenants Balmoral Hotel 159 Hastings Street.docx

FYI

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Llewellyn-Thomas, Kathleen <Kathleen.Llewellyn-Thomas@vancouver.ca>

Sent: Friday, May 26, 2017 8:43 PM

To: Moss, Bob

Cc: Jung, Andrea; Krishna, Kaye; Schwebs, Saul; Ryan, Pat (CBO)

Subject: Notice to Tenants Ready to Go - Balmoral Hotel

Hi Bob,

We are good to go...



May 26, 2017

IMPORTANT

Notice to Tenants – Balmoral Hotel, 159 E. Hastings

The Balmoral Hotel owners are working with a professional engineering firm and the City of Vancouver to conduct structural reviews of the building. These reviews show there could be safety concerns in the bathrooms throughout the building caused by severe water damage.

To protect the residents from potential issues, the City of Vancouver staff will be removing the taps from the bathtubs. The bathtubs will be shut off this weekend and possibly longer. Water to the building will stay on and remainder of the bathroom facilities can be used as usual.

On Monday, the professional engineers and City of Vancouver staff will be in the building to conduct more detailed reviews of the bathrooms on all floors.

If you are unable to shower or bathe due to this inconvenience, the City invites you to the following community spaces:

You can go to:

Evelyne Saller Center – 320 Alexander 10am - 10pm every day

Women's Shelter (women only) – 412 East Cordova 24/7 until Monday morning

Kathleen Llewellyn-Thomas, P. Eng.

General Manager

Community Services

604.871.6858 (o)

604.353.1857 (c)

Preferred pronouns: she, her, hers, herself



May 26, 2017

IMPORTANT

Notice to Tenants - Balmoral Hotel, 159 E. Hastings

The Balmoral Hotel owners are working with a professional engineering firm and the City of Vancouver to conduct structural reviews of the building. These reviews show there could be safety concerns in the bathrooms throughout the building caused by severe water damage.

To protect the residents from potential issues, the City of Vancouver staff will be removing the taps from the bathtubs. The bathtubs will be shut off this weekend and possibly longer. Water to the building will stay on and remainder of the bathroom facilities can be used as usual.

On Monday, the professional engineers and City of Vancouver staff will be in the building to conduct more detailed reviews of the bathrooms on all floors.

If you are unable to shower or bathe due to this inconvenience, the City invites you to the following community spaces:

You can go to:

Evelyne Saller Center – 320 Alexander 10am - 10pm every day

Women's Shelter (women only) – 412 East Cordova 24/7 until Monday morning

src000000Letter to Tenants Balmoral Hotel 159 Hastings Street.docx

From: "[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>

To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>

Date: 6/2/2017 8:58:57 AM

Subject: FW: please stand by - DRAFT IB on Balmoral coming thru in the next 15 minutes.

FYI – just received. I am reviewing now.

Paul

From: Sandhu, Jag

Sent: Friday, June 02, 2017 8:57 AM

To: Kendall-Craden, Rena; Krishna, Kaye; Llewellyn-Thomas, Kathleen; Mochrie, Paul

Cc: Couper, Sara

Subject: RE: please stand by - DRAFT IB on Balmoral coming thru in the next 15 minutes.

Please review this final IB. Any changes, make directly into the body of it.

City of Vancouver

Information Bulletin

June 2, 2016

City of Vancouver moves to evacuate and relocate Balmoral Hotel residents from imminent danger

The City of Vancouver's Chief Building Official has determined that the structural and fire concerns at the Balmoral constitute an unsafe condition and has issued an order pursuant to the Vancouver Building Bylaw directing that occupancy of the Balmoral cease as of June 12 and that the repairs be undertaken to ensure that the building does not collapse. The City expects the owners to immediately commence the repair work once the tenants are safely out of the building and is prepared to undertake the work and charge the costs to the owners if they do not comply.

The goal of the City of Vancouver is to rehabilitate the building so tenants can move back in as soon as possible. City is reviewing what additional legal tools or resources may be available from a new provincial government.

Evacuating and relocating tenants from the Balmoral was a last resort decision but it is clear from the professional assessment of the building that the imminent risk is too great for the residents to remain.

While it is the owners' legal obligation to support tenants with relocation under the *Residential tenancy Act*, the City, BC Housing, Vancouver Coastal Health, tenant advocates, and other community partners will provide supplemental support to help tenants find alternate housing and get access to other supports. The supports will be available immediately upon today's Order issuance and over the course of the next few weeks as tenants move out of the building.

The Balmoral, at 159 Hastings Street, is a 176 room Single Room Accommodation ("SRA") hotel that serves low income tenants on the Downtown East Side. The building is owned by the Sahota family and has been a significant problem for both the VPD and the City for decades. Over recent years, the conditions of the building have deteriorated and have become unacceptable for tenants.

The City is committed to ensuring that important SRA and social housing stock is available for Vancouver residents like the people who live at the Balmoral Hotel. Vancouver City Council has allocated \$2Million in the 2015-2018 Capital Plan for upgrades to private SRO's.

We are working with our partner BC Housing who has demonstrated their commitment to affordability through their investment of \$147 million for the renovation of 13 SRO's comprising almost 900 rooms in the City of Vancouver

Once the building is secured, engineers will continue to assess the full scale of damage and required work. Once the scope of work is better understood, City staff will work with the owners to assess the options for remediating the building. The City's current capital plan includes \$2M to support upgrades of private SRO buildings, subject to approval by Council.

The City is engaged in discussion regarding the potential for capital investment by BC Housing as a prerequisite for any funding contribution, the City would require an agreement between the owner and a non-profit operator to manage the building, which will improve supports and quality of life for all tenants. Although the current state of the building is deplorable and unfit for occupation, the Balmoral represents a critical source of housing for low-income residents. The City is seeking to preserve this stock for residents over the long term, in safe and acceptable conditions.

-30-

Background

The Balmoral, at 159 Hastings Street, is a 171-room Single-Room Accommodation ("SRA") hotel that serves low income tenants on the Downtown East Side. The building is owned by the Sahota family and has been a significant problem for both the Vancouver Police Department (VPD) and the City of Vancouver for decades. Over recent years, the conditions of the building have deteriorated and have become unacceptable for tenants.

In early 2016, the City escalated enforcement efforts in the Balmoral.

In June 2016, inspections by the building inspector identified deterioration of a beam in the basement, and ordered an emergency engineering review. The review concluded that the basement, main floor and mezzanine were unsafe to occupy, and all were ordered to be vacated by the CBO. This structural issue was resolved but the basement of the Balmoral has not been re-occupied.

In the fall of 2016, the City launched proactive enforcement in the most at-risk buildings in the City, and the Balmoral topped the list. The City began conducting regular inspections of the building with a cross-functional team from VPD, Vancouver Fire and Rescue Services, and staff from the City's Buildings, and Property Use team. This team proactively reviewed the building for fire, safety, structural, and standards of maintenance issues and wrote orders for noncompliance.

From November 2016 through May 2017, the City generated eight inspection reports and wrote seven orders, to address 183 outstanding deficiencies. The City sought to work with the owners to correct the orders, but where owners did not comply in 60 days, the City referred the orders to prosecution.

The total number of outstanding orders is currently six, representing 150 outstanding deficiencies. Two of these orders from the Chief Building Official in March and April 2017 were to direct the owners to address the remediation work recommended in a structural engineering report and building envelope condition report conducted in November 2016.

On May 26 the professional engineering firm delivered a concerning report to the City which suggested that the building's overall structure may be compromised due to water damage and rot. In response to this report the City engaged an independent third party structural engineer and a building code engineer's consultant. These independent experts provided reports which concluded that there is a considerable life safety risk in continuing to occupy the Balmoral, particularly near the bathrooms which appear to have the greatest rot. The reports indicate that the building cannot remain occupied while remediation and further investigation occur and recommend that the Balmoral be emptied until repairs can be undertaken to address these life safety issues. The reports from the Sahota's professional engineer as well as the third party firms are available on the city's website: [NEED LINK FROM IT](#)

Thanks,

Jag Sandhu

Corporate Communications | City of Vancouver

453 West 12th Avenue

Vancouver BC V5Y 1V4

Office 604.871.6899

Cell 604-396-1012

jag.sandhu@vancouver.ca

From: Kendall-Craden, Rena

Sent: Friday, June 02, 2017 8:30 AM

To: Krishna, Kaye; Llewellyn-Thomas, Kathleen; Mochrie, Paul

Cc: Couper, Sara; Sandhu, Jag

Subject: please stand by - DRAFT IB on Balmoral coming thru in the next 15 minutes.

For Approval. RKC

All the best,

Rena Kendall-Craden

Director, Corporate Communications

City of Vancouver

T: 604 673 8121

C: 604 218 6319

Have your say: <http://www.talkvancouver.com>

From: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>
To: "[Robertson, G](mailto:G.Robertson@vancouver.ca)" <G.Robertson@vancouver.ca>
Date: 6/2/2017 5:56:56 AM
Subject: Fw: protest - City Hall -this afternoon synopsis

Fyi

Sadhu Aufochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: [sadhuajohnston](https://twitter.com/sadhuajohnston)

From: Mochrie, Paul <Paul.Mochrie@vancouver.ca>
Sent: Friday, June 2, 2017 12:47 AM
To: Johnston, Sadhu
Subject: Fwd: protest - City Hall -this afternoon synopsis

FYI.
Paul

Begin forwarded message:

From: "Conlan, Greg" <Greg.Conlan@vancouver.ca>
Date: June 1, 2017 at 9:39:24 PM PDT
To: "Krishna, Kaye" <Kaye.Krishna@vancouver.ca>, "Aujla, Bill" <bill.aujla@vancouver.ca>, "Prescott, Lisa" <Lisa.Prescott@vancouver.ca>, "Mochrie, Paul" <Paul.Mochrie@vancouver.ca>, "Kendall-Craden, Rena" <Rena.Kendall-Craden@vancouver.ca>, "Hagiwara, Rosemary" <rosemary.hagiwara@vancouver.ca>, "Postma, Tobin" <Tobin.Postma@vancouver.ca>, "Naklicki, Andrew" <andrew.naklicki@vancouver.ca>, "Llewellyn-Thomas, Kathleen" <Kathleen.Llewellyn-Thomas@vancouver.ca>
Cc: "Van Fraassen, Barbara" <Barbara.VanFraassen@vancouver.ca>, "Quinlan, Kevin" <Kevin.Quinlan@vancouver.ca>
Subject: protest - City Hall -this afternoon synopsis

Good evening

Please be advised that A group of 35 people descended CH at 1500 today and was intercepted by security . We did have reliable intel this am that this was likely to occur today

The group, reportedly Balmoral Hotel SRO Tenants support by special interest groups attended City Hall demanding and audience with the Mayor. Their grievance identified in relation the the Balmoral Hotel housing / condition situation that is currently under review and sited specific claims against the City

The group was initially hostile, assaultive (pushing and shoving) and boisterous but soon quieted as we began negotiations and limit setting with them. The group was 'permitted' to stay and read their statements. Corp Security reps remained impartial and 'supportive'. We secured the 3rd floor offices and briefed adjacent staff. Councillor Meggs offered to speak with the group while we monitored the situation.

I understand that there is a meeting tomorrow with the reps of the group and City officials which aided in ending this protest today

Several media outlets attended- Globe and Mail etc

We did have VPD on scene but did not have them engage the crowd and kept them at bay pending any escalation that would be necessary out of interest for public safety (absolute last resort)

At 1700 the group eventually agreed to vacate and by 1720 hrs all had left the facility without major incident.

Tobin P was on site during and we had advised the DCM office as well as corp comms of the situation

I thought it prudent for you all to have the backgrounder. We have documented his incident and details.

Any questions please let me know anytime . Incidentally We will be stepping up our security precautions for the campus and West Annex over the next while as this DTES situation unfolds .

G

6042302750

Greg Conlan

Corporate Security

City Of Vancouver

Sent from iPhone

From: "[Krishna, Kaye](mailto:Kaye.Krishna@vancouver.ca)" <Kaye.Krishna@vancouver.ca>

To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>

["Sandhu, Jag"](mailto:Jag.Sandhu@vancouver.ca) <Jag.Sandhu@vancouver.ca>

Date: 5/30/2017 4:22:28 PM

Subject: Fw: Revised Balmoral IB

Revised below

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Holm, Kathryn <Kathryn.Holm@vancouver.ca>

Sent: Tuesday, May 30, 2017 4:20 PM

To: Krishna, Kaye

Subject: RE: Revised Balmoral IB

We made changes – please advise.

Kathryn

From: Johnston, Sadhu <Sadhu.Johnston@vancouver.ca>

Sent: Tuesday, May 30, 2017 4:08 PM

To: Krishna, Kaye; Mochrie, Paul

Cc: Sandhu, Jag; Holm, Kathryn; Ryan, Pat (CBO); Schwebs, Saul; McKearney, John; Llewellyn-Thomas, Kathleen

Subject: RE: Revised Balmoral IB

Hi-

s.13(1)

Sadhu Afochs Johnston | City Manager

City of Vancouver | 453 W 12th Avenue

Vancouver | BC V5Y 1V4

604.873.7627 | Sadhu.johnston@vancouver.ca

Twitter: [sadhuajohnston](https://twitter.com/sadhuajohnston)



From: Krishna, Kaye

Sent: Tuesday, May 30, 2017 3:54 PM

To: Johnston, Sadhu; Mochrie, Paul

Cc: Sandhu, Jag; Holm, Kathryn; Ryan, Pat (CBO); Schwebs, Saul; McKearney, John; Llewellyn-Thomas, Kathleen

Subject: Revised Balmoral IB

s.13(1)



Thanks,

Jag Sandhu

Corporate Communications | City of Vancouver

453 West 12th Avenue

Vancouver BC V5Y 1V4

Office 604.871.6899

Cell 604-396-1012

jag.sandhu@vancouver.ca

Kathryn Kolbuch Holm, P.Eng. | Director, Licensing, Property Use Inspections & Animal Services

Chief License Inspector

Development, Buildings, & Licensing

City of Vancouver | 515 W 10th Ave

Vancouver | B.C. V5Z 4A8

(O) 604.873.7545

Kathryn.Holm@vancouver.ca

From: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>

To: "[City Manager's Correspondence Group - DL](mailto:CMCG@vancouver.ca)" <CMCG@vancouver.ca>

Date: 5/26/2017 6:27:25 PM

Subject: FW: Structural Concerns at the Balmoral

Sadhu Afochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: [sadhuajohnston](https://twitter.com/sadhuajohnston)



From: Johnston, Sadhu
Sent: Friday, May 26, 2017 6:26 PM
To: Direct to Mayor and Council - DL
Cc: Krishna, Kaye; Mochrie, Paul; Pickard, Gail; Llewellyn-Thomas, Kathleen
Subject: Structural Concerns at the Balmoral

Greetings Mayor and Council-

I wanted to alert you to a situation that we are dealing with this evening. As you are well aware, we have been dealing with the 140 unit Balmoral SRO for quite some time. This is a Sahota building. They are currently doing about \$2M worth of work on the building, largely exterior structural work. During our recent inspections, our inspectors became aware of interior structural issues. This afternoon we did a more thorough inspection and have determined that there is concern about damage in the floors below the bathrooms in the building. On Monday, we'll be doing more a thorough technical assessment to determine the extent of the concern. In the meantime, our inspectors have requested that the bathtubs not be used, as a way to reduce the weight on the floors. This evening, we will be going into the building to shut-off the bathtubs. We are in the process of identifying alternative bathing options for the tenants of the building. We are also working on a communications plan for the tenants of the building.

Given that this is a life safety concern, we are taking this very seriously and acting out of an abundance of caution. This will likely generate concerns from the tenants. If the damage is extensive, we may need to relocate some tenants next week. We are engaging with BC Housing and are identifying alternative housing options in the event that some tenants need to be relocated.

I will keep you posted over the weekend as this situation evolves.

Best

Sadhu

Sadhu Afochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: [sadhuajohnston](https://twitter.com/sadhuajohnston)



From: "[Mochrie, Paul](mailto:Paul.Mochrie@vancouver.ca)" <Paul.Mochrie@vancouver.ca>
To: "[Johnston, Sadhu](mailto:Sadhu.Johnston@vancouver.ca)" <Sadhu.Johnston@vancouver.ca>
Date: 5/31/2017 8:47:52 PM
Subject: Fwd: Structural Engineers Report
Attachments: Balmoral Hotel- Prelim structural review- May 31, 2017.pdf
ATT00001.htm

FYI.
Paul

Begin forwarded message:

From: "Ryan, Pat (CBO)" <patrick.ryan@vancouver.ca>
Date: May 31, 2017 at 3:58:28 PM PDT
To: "Tynan, Katia" <Katia.Tynan@vancouver.ca>, "Stevens, Daniel" <Daniel.Stevens@vancouver.ca>, "Mochrie, Paul" <Paul.Mochrie@vancouver.ca>, "Krishna, Kaye" <Kaye.Krishna@vancouver.ca>, "Llewellyn-Thomas, Kathleen" <Kathleen.Llewellyn-Thomas@vancouver.ca>, "Jung, Andrea" <Andrea.Jung@vancouver.ca>, "Schwebs, Saul" <Saul.Schwebs@vancouver.ca>, "Anderson, Kelly" <Kelly.Anderson@vancouver.ca>, "Dixon, Iain" <iain.dixon@vancouver.ca>, "Holm, Kathryn" <Kathryn.Holm@vancouver.ca>, "Czyz, Monika" <Monika.Czyz@vancouver.ca>, "Bond, Abigail" <Abigail.Bond@vancouver.ca>, "McKearney, John" <john.mckearney@vancouver.ca>, "Jasper, Kirsten" <Kirsten.Jasper@vancouver.ca>, "Collister, Mike" <mike.collister@vancouver.ca>, "DAVEY, Michelle" <michelle.davey@vpd.ca>, "Renning, Rob" <rob.renning@vancouver.ca>, "Cheung, Rick" <rick.cheung@vancouver.ca>, "EM Duty Officer (Vancouver)" <EMDutyOfficer@vancouver.ca>
Subject: Structural Engineers Report

Sorry here is the report from the engineer.

Pat

From: Levi Stoelting [<mailto:lstoelting@glotmansimpson.com>]
Sent: Wednesday, May 31, 2017 3:19 PM
To: Ryan, Pat (CBO)
Cc: Schwebs, Saul
Subject: RE: Can us send balmoral file. Cannot read the file

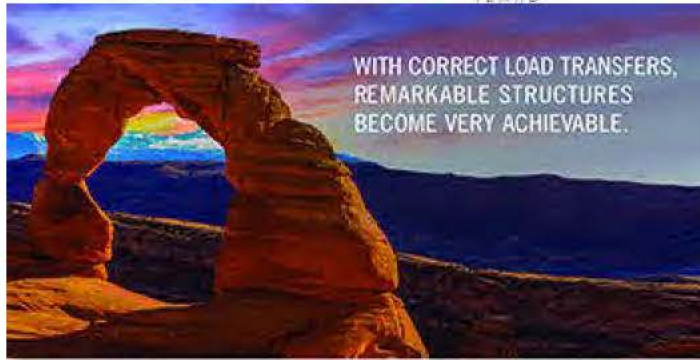
Hi Pat, Saul,

Attached is a pdf of the sealed letter with some comment on timeline. As you would expect it's extremely difficult to put a timeline on such conditions, but our insistence is primarily related to creating a driver for action that does not delay any further intervention. Notwithstanding the legalese and pleasant language we would recommend the intervention be facilitated as quickly as possible. We'd be very happy if the abatement of finishes revealed a less problematic or systemic challenge than anticipated.

Thanks,

Levi Stoelting P.Eng

Principal
Glotman Simpson Consulting Engineers
Direct: 604-630-3487
www.glotmansimpson.com



Creative Thinkers, Cleverly Disguised as Engineers.

*This communication may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please reply to the sender indicating that fact, and delete the copy you received.
This communication is for use by the intended recipient only.*

From: Levi Stoelting
Sent: May-31-17 2:16 PM
To: 'Ryan, Pat (CBO)' <patrick.ryan@vancouver.ca>
Cc: 'Schwebs, Saul' <Saul.Schwebs@vancouver.ca>
Subject: RE: Can us send balmoral file. Cannot read the file

Hi Pat,

Attached as a pdf now.

Sorry about that.

Levi Stoelting P.Eng
Principal
Glotman Simpson Consulting Engineers
Direct: 604-630-3487
www.glotmansimpson.com



Creative Thinkers, Cleverly Disguised as Engineers.

*This communication may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please reply to the sender indicating that fact, and delete the copy you received.
This communication is for use by the intended recipient only.*

From: Ryan, Pat (CBO) [<mailto:patrick.ryan@vancouver.ca>]
Sent: May-31-17 1:59 PM
To: Levi Stoelting <lstoelting@glotmansimpson.com>
Subject: Can us send balmoral file. Cannot read the file

Patrick Ryan, M.Sc. , P.Eng
Chief Building Official
City of Vancouver
Sent via BlackBerry.

Our Purpose is to regulate, administer and enforce quality buildings that ensure the public's health, safety, accessibility and environmental needs are consistently met

May 31, 2017

File No. 217140



City of Vancouver
453 West 12th Avenue
Vancouver, BC V5T 1V4

Attention: Mr. Patrick Ryan
Chief Building Official

**Re: Balmoral Hotel
Structural Building Review**

Dear Mr. Ryan:

On May 30, 2017 Glotman • Simpson Consulting Engineers attended the Balmoral Hotel located at 159 East Hastings Street, Vancouver BC. The intent of the visit was to provide a secondary review of the building structure and determine the extent of building structural deterioration and condition(s). The walk through was performed from levels 1 through 8 and onto the roof. Selective areas were exposed to view at hallways, bathrooms, sample living units, building common shafts, stairways, attic and rooftop. In areas where structure was not directly visible, the review looked for indications of structural distress potentially exhibited by excessive deflections and sag, moisture, cracking or deterioration of finishes, and odor.

The building framing appears to be a combination of steel beam and column framing and laminated wood lumber floors and walls for the residential levels above level 1. Building structural drawings were not available for review, and there appears to have been ongoing renovation in a number of areas so relying on existing documentation may be difficult.

Though our review was not exhaustive, we were able to identify several systemic issues that we believe should be addressed immediately:

Bathrooms

At the north end of the building along the east-west running corridor are two bathroom groupings stacked vertically up the building on successive floors. Floors, walls and ceilings all showed extensive signs of prolonged water damage, wood rot and general framing deterioration. In some areas, newer wood framing and plumbing piping appears to have been installed, but support framing remains in a deteriorated state. Wall assemblies have extensive and visible rot with finishes in many instances having sagged or fallen away entirely. In several instances visible running water ran down the surface of walls and finishes. In a handful of sample areas wood framing could be readily crushed by hand under minimal pressure.

Glotman · Simpson
CONSULTING ENGINEERS*

GS · Sayers
ENGINEERING LTD.

Glotman · Simpson
U.S. INC.

- Structural Engineers
- Seismic Restoration
- Building Evaluations
- Insurance Claims
- Litigation Support
- Specialty Engineering

1661 West 5th Avenue
Vancouver, BC
Canada V6J 1N5
T 604 734.8822
F 604 734.8842

1025-808 4th Avenue SW
Calgary, AB
Canada T2P 3E8
T 403 930.2100
F 403 930.2101

info@glotmansimpson.com
glotmansimpson.com

* A Partnership of Corporations



Hallways

Floor surfaces in observed areas consisted of built up wood flooring ovetop of structural laminated lumber framing spanning to support beams and walls. In many instances floor framing undulated over the length of hallways and at door thresholds, with a number of doorways left with limited ability to open based on pinched conditions of shifted floors or walls adjacent. In a handful of cases hallway surfaces could be felt sagging under foot traffic, though it is not clear if this movement is in the flooring and built up framing, or the structural assembly/support below.

Visible mold was noted in many locations on corridor walls, with drywall soft to the touch. Again, it is not clear what condition persists on the far face of finishes, although in several areas finishes had fallen off, or sagged away from the walls behind.

Shafts

There are a series of shafts that were exposed to view, most notably one flanking the north-east bathroom pod. Visible running water could be seen in the inside of the shaft running down rotten wood framing. Visible piping showed moisture running down the vertical stacks in a number of locations as well.

Sample Living Units

Approximately 6 living units were reviewed on levels 2 to 8 for a sample indication of persistent conditions. In those samples we noted deteriorated drywall and sagged ceilings, instances where portions of ceiling and drywall had collapsed or been removed from walls and framing, visible water damage staining, and sink fixtures that had been pulled off walls with visible and cracked and corroded vertical piping. Mold was observed on drywall finishes and finishes were soft to the touch in many instances.

Roof/Attic

Cursory review of the roof did not show a commensurate level of deterioration to the levels below. Similarly, under cursory review the attic appeared to be dry, though it was raining the day of the review. There did not appear to be significant signs of prolonged water ingress at this level.

Recommendations:

The review by Glotman Simpson identified a number of areas that we recommend be explored swiftly and in more detail. We recommend the following at this time:

1. Remove finishes in areas of visible rot or soft drywall to observe the condition of base building support framing (this includes bathrooms, hallways, living units and shafts). Structural Engineer of Record to review exposed base building framing for further intervention/specification.
2. Shore bathroom floors and adjacent flooring spans to prevent localized failure of floor or wall framing. Engage a shoring contractor/Engineer to provide

shoring layout for floor framing in existing bathrooms at the north end of the building floor plan on successive levels. Shoring should persist to a level of “sound” framing and over as many floors as may be required to support those above. Given the laminated flooring system design is incumbent on continuous spans, shoring will be required in adjacent spans in each direction flanking the bathrooms to ensure those spans are supported as well.

3. Exhaustive plumbing and envelope review should be undertaken. Given observed dry nature of the attic space, we are led to conclude that the bulk of the water ingress issues is from deteriorated piping throughout the building. Deterioration of finishes and support framing will persist until plumbing has been repaired throughout. We are not mechanical Engineers, nor envelope specialists and defer further comment to those parties.

Based on the foregoing it is our opinion that the building structure is not presently safe for occupancy. Exhaustive review of the building framing should be undertaken with finishes removed to properly observe the condition of structural framing and provide specified retrofit. We recommend that the shoring noted in item 1 be installed as soon as possible. To facilitate this work, and for occupant safety, we recommend that the building be vacated in an orderly fashion over the coming days. Ideally occupants could be removed within a week or two, during which time the shoring design can be undertaken with shoring subsequently installed upon the site being vacated.

We have reserved comment on the ground level and basement level. Glotman • Simpson did not tour those areas extensively, and ongoing construction and retrofit in those areas persists at present under the design and oversight of another Structural Engineer.

LIMIT OF LIABILITY

It should be noted that this letter is based on a visual inspection of the existing structure and building systems. Inspections were made on a random basis with no attempt to review or inspect every element or portion of the building. The intent of the inspections was to determine areas of visually obvious deterioration and to generally determine the overall quality and sufficiency of the work, but not to ascertain the quality or sufficiency of any specific aspect of the development. Furthermore, we have not carried out a detailed design analysis of the gravity resisting system of the building. A seismic review of the structure has not been done for the purposes of this report. Our comments are not a guarantee or warranty of any aspect of the condition of the development whatsoever.

This report was prepared by Glotman • Simpson Consulting Engineers for the account of The City of Vancouver. The material in it reflects the existing structural condition of the existing buildings to our best judgment in light of the information available to us at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Glotman • Simpson Consulting Engineers accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

The following items were not examined by us nor were they considered as part of the structural survey of the building:

- condition of the roofing system and any leakage concerns;
- building envelope design and condition issues;
- moisture considerations at exterior walls;
- plumbing, mechanical or electrical considerations;
- fire prevention requirements or condition of existing equipment and systems;
- review of the gravity and lateral resistance load paths ; and
- presence of hazardous materials such as asbestos, PCB's or toxic industrial waste.

We trust the above is satisfactory for your needs at this time. Please feel free to contact the undersigned if we can provide any further information or clarification on this matter.

Yours truly,

GLOTMAN•SIMPSON CONSULTING ENGINEERS



Per: Levi Stoelting P.Eng.,
Principal

cc: Saul Schwebs – Assistant Director, Building & Trades Inspections

Our ref: f:\2017\217140\general\balmoral hotel.rtf

From: ["City of Vancouver Communications Office"](#)
<CityofVancouver.CommunicationsOffice@vancouver.ca>

To: ["Johnston, Sadhu"](#) <Sadhu.Johnston@vancouver.ca>

Date: 6/2/2017 5:31:32 PM

Subject: Information Bulletin: Statement from City of Vancouver on tenant relocation from the Balmoral Hotel

City of Vancouver
Information Bulletin
June 2, 2017

Statement from City of Vancouver on tenant relocation from the Balmoral Hotel

The City of Vancouver would like to clarify the efforts that the City and other partners are making to support tenants who face relocation from the Balmoral Hotel. Following the Chief Building Official's order posted this morning that occupancy of the Balmoral Hotel cease as of June 12, Outreach staff from the City, BC Housing and Vancouver Coastal Health (VCH) have attended the building on two occasions today and have been meeting with residents to discuss relocation plans to determine the individual needs of each tenant. These on-site visits will continue over the coming days. The City recognizes the strain the order to vacate must be putting on tenants. The purpose of these face-to-face meetings with tenants is to:

- understand their needs and identify the right place for them to evacuate to and ultimately, move in to (a number of housing and shelter options are immediately available);
- support their evacuation - moving important personal belongings immediately and securing or storing their remaining belongings until they can all be moved to their new home;
- plan how to move tenants' belongings to their permanent home;
- ensure that any additional supports that a tenant may need for medical or daily living purposes, is provided.

Once each tenant's needs have been assessed, City staff will work with BC Housing and VCH to find housing that meets those needs. If required for tenants with no other immediate options, emergency shelter space will be available while efforts to meet their longer-term housing needs continue.

Evacuating and relocating tenants from the Balmoral Hotel was a last resort decision but it is clear from the professional assessment of the building that the imminent risk is too great for the residents to remain. It is the owners' legal obligation to support tenants with relocation under the *Residential Tenancy Act* and the City continues to seek confirmation from the owners regarding their plans in that regard. Notwithstanding the owners' obligations, the City, BC Housing, Vancouver Coastal Health, tenant advocates, and other community partners will provide supplemental support to help tenants find alternate housing and get access to other supports. The supports will be available immediately upon today's Order issuance and over the course of the coming days and weeks as tenants move out of the building.

-30-

Media Contact:
Corporate Communications

604.871.6336

media@vancouver.ca

From: ["Johnston, Sadhu" <Sadhu.Johnston@vancouver.ca>](mailto:Sadhu.Johnston@vancouver.ca)

To: ["Direct to Mayor and Council - DL" <CCDTMACDL@vancouver.ca>](mailto:CCDTMACDL@vancouver.ca)

Date: 6/2/2017 9:05:31 AM

Subject: Memo on Balmoral Hotel

Attachments: BALMORAL - LMDG Report (00749968xD3527).pdf
BALMORAL - Glotman and Simpson Report (00749964xD3527).pdf
20170602080757261.pdf
Memo re Balmoral Hotel with signature - 2017.06.02.pdf

Dear Mayor and Council,

The attached memo provides an update on the City's action to address serious building deficiencies and associated life safety risks to tenants of the Balmoral Hotel.

In summary, based on assessments by City staff and independent professionals, the Chief Building Official (CBO) has declared the building unsafe for occupancy. An order will be issued to the owner today requiring the evacuation of the building by June 12, 2017 and requiring immediate action to install shoring within the building and stabilize the structure to allow for further detailed assessment.

The memo provides additional background regarding the building, the authority for the CBO order and the steps that the City is taking, in partnership with BC Housing and VCH, to support tenants.

We are also exploring every possible avenue, including legal tools and possible direct investment by the City and other partners, to ensure the building is restored to an acceptable condition and can be re-occupied.

Best,
Sadhu

Sadhu Aufochs Johnston | City Manager
City of Vancouver | 453 W 12th Avenue
Vancouver | BC V5Y 1V4
604.873.7627 | Sadhu.johnston@vancouver.ca
Twitter: sadhuajohnston



CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. This message is private and protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution, or the taking of any action based on the contents of this information, is strictly prohibited.



Building Code Consultants Ltd

FIRE PROTECTION & LIFE SAFETY SOLUTIONS

VANCOUVER OFFICE
4th Floor, 780 Beatty Street
Vancouver, BC, Canada V6B 2M1

T 604 682 7146
F 604 682 7149
www.LMDG.com

June 1, 2017

VIA E-MAIL: pat.ryan@vancouver.ca

City of Vancouver
Development, Buildings, and Licensing
Ground Floor, 515 West 10th Avenue
Vancouver BC V5Z 4A8

Attention: Mr. Pat Ryan,
Chief Building Official

Dear Mr. Ryan,

RE: BUILDING BY-LAW ASSESSMENT REPORT
BALMORAL HOTEL,
159 EAST HASTINGS STREET, VANCOUVER, BC Our File 17-200

Further to your request, we have prepared this fire and life safety assessment report for the Balmoral Hotel (Project), located at 159 East Hastings Street, Vancouver BC. The purpose of this report is to identify deficiencies observed and provide a risk assessment with respect to fire and life safety.

This report was prepared by LMDG Building Code Consultants Ltd. (LMDG) for the City of Vancouver. The material provided in this report is based on LMDG’s best judgment in light of the information available to LMDG at the time of preparation. Any use of this report by third parties, or any reliance on or decisions to be made based on it are the responsibility of such third parties. LMDG accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

1.0 PROJECT DESCRIPTION

The Project is an existing nine-storey building, originally constructed in 1912 and currently used as a single-resident occupancy (SRO). The Project is of combustible construction, an automatic sprinkler system, standpipe and fire alarm system have been installed in the building. Two exit stairs serve Level 2 through 8, with a single exit serving Level 9. An elevator provides access to all floor levels. Residential suites are served by a public corridor. Hose cabinets are provided on each floor above ground floor. We were unable to ascertain whether any of the noted systems were functional. Damaged smoke detectors and hose cabinets were observed with missing hose and fire extinguishers. Further, electrical and plumbing systems were not consistently functioning through the building. Areas were observed where lighting had been damaged or was not in operation, emergency lighting systems did not appear to be operational. Water damage and mold were observed throughout the building. The basement of the Project is currently under construction and was not included in this assessment.

The Project has undergone numerous repair and renovations over the life of the building, however for the purpose of this assessment, the Vancouver Building By-law 2014 has been identified as the applicable By-law.

2.0 SCOPE OF REVIEW

This assessment is based on a single field review, conducted on May 30, 2017 and is completed without the construction and design history of the building, including any subsequent changes of use, renovations, or additions. Another limitation to this assessment is the time and sources of information available, which is directly related to the level of detail reported. Consequently, there is the potential for more deficiencies or locations of an identified deficiency to exist than is noted in this report. This report is an overview of the fire and life safety condition of the building, intended to identify deficiencies which represent an unsafe condition. Regardless, relevant deficiencies and their level of non-compliance have been identified.

3.0 BUILDING ASSESSMENT

A summary of our field review notes is included as **Attachment No. 1** to this report.

The deficiencies identified can be grouped into the following categories to complete the fire risk assessment, these are;

- control of ignition sources and combustibles,
- containment and control of fire, and
- occupant egress in the event of a fire or emergency.

An unacceptable level of risk is assumed where one of the above categories is deficient with respect to the minimum requirements of the VBBL, the level of risk assumed is exacerbated significantly where more than one, or as in the case of this Project all are compromised.

On each floor level, there was evidence that the electrical system was damaged or in disrepair, likely resulting in overloaded circuits of questionable integrity, this in combination with the exposed circuit panels, use of cooking or heating devices within suites, potential for water to leak via pipes or overflow, unregulated use of rooms, and storage of garbage throughout the floor create a condition where there is a significant opportunity for ignition in the presence of combustible material.

Throughout the building, fire separations are damaged. This is evident where doors have been broken or otherwise installed incorrectly, holes have been created through corridor and suite demising walls and floor assemblies. The condition of the fire separations cannot perform its intended function (i.e., containment), and instead contribute significantly to the spread of fire within a floor, between floors or through concealed

Mr. Mr. Pat Ryan, Chief Building Official
City of Vancouver, Development, Building, and Licensing
RE: 159 East Hastings Street, Vancouver, BC

Page 3 17-200
June 1, 2017

space within walls and floors where it can spread relatively undetected. Similarly, where the effectiveness of the suppression systems is damaged, missing or potentially non-functioning, the opportunity for automatic or manual suppression of a developing a fire in the early stages of development is not available. Based on the condition of the building, both active and passive fire protection measures would be considered compromised and of limited effectiveness.

Damaged or otherwise inoperable doors restricting access, storage within corridors and the condition of the exit stairs create a condition where access to exit and egress is also compromised. In the event of an emergency, no clear directions were identified for occupants to evacuate the building. Storage in exits means the exit stair may be obstructed, further the condition of the exit could contribute to an occupant tripping or falling endangering not only the individual but again prevent use of the stair.

4.0 CONCLUSION

A building assessment of the Project, located at 159 East Hastings has been completed to assess the fire and life safety risk associated with the significant deficiencies identified. Each deficiency noted within the report is categorized as an unsafe condition, the list of deficiencies compounds this risk and creates a situation with the potential for loss of life, injury or further damage to the building in the event of a uncontrolled fire.

Prepared by:

LMDG BUILDING CODE CONSULTANTS LTD.



David J. Steer, M. Eng., P.Eng., CP

DJS/jrl 17200060117.ltr.docx
Attachments



cc: Mr. Saul Schwebs, Assistant Director—Building and Trades Inspections, City of Vancouver,
Development, Buildings and Licensing (Via E-mail: saul.schwebs@vancouver.ca)
Ms. Kelly Anderson, Manager, City of Vancouver, Building Review Branch
(Via E-mail: kelly.anderson@vancouver.ca)



ATTACHMENT NO. 1
SITE REVIEW NOTES, MAY 30, 2017

Dave Steer

From: Dave Steer
Sent: May-31-17 11:38 AM
To: saul.schwebs@vancouver.ca
Cc: Ryan, Pat (PDS) (patrick.ryan@vancouver.ca); Eric Teevens
Subject: FW: [LMDG] 159 East Hastings Street - site notes

Saul, below is our consolidated review notes:

We will prepare a report and send to your attention.

Tuesday, May 30, 2017

1:00PM -

Present:

Saul Schwebs, City of Vancouver – Building Inspections
Lynn Urekar , City of Vancouver – Building Inspections, Enforcement
Dave Steer/Eric Teevens, LMDG Building Code Consultants
Levi Stoeling, Glotman Simpson Consulting Engineers
Owner's representative (?)

General site review of 'Balmoral Hotel' located at 159 East Hastings Street (LMDG/Enforcement)

- 9-storey, single room occupancy building with sprinkler and fire alarm system installed (fire alarm bells/smoke detectors)
- Verification of fire alarm systems/elevator to be confirmed.
- Exit Stairs – Levels 1 to 9
 - a) fire rated doors into exit stairwells damaged / self-closing devices missing or damaged / doors do not positively latch / door hardware passage sets missing / doors unable to open fully (e.g., door bind on frame or floor, closer limits door swing)
 - b) continuous, graspable handrails missing throughout
 - c) steps – uneven rise/run dimensions at numerous locations (including uneven tread finishing materials causing tripping hazards)
 - d) insufficient lighting levels (light fixtures missing and/or damaged)
 - e) exterior exit door at lane discharge location – door hardware missing / locks on door / emergency lighting missing at exit
 - f) exit stairwells full of garbage/debris / impeded access to exits (Vancouver FireBylaw requirements applicable)
- PUBLIC CORRIDORS -
 - a) Levels 2 to 8 – public corridors – old sprinkler system installed / hose cabinets missing hose / fire extinguishers missing (typical)
 - b) Level 2 to 8 – public corridors – smoke/heat detectors installed at numerous locations, unclear if all are operational
 - c) Level 2 to 8 - electrical – damaged/missing light fixtures / open electrical junction boxes / damaged electrical panels within corridor
 - d) Levels 2 to 8 – manual stations installed at end of corridors (not at exit doors)
 - e) Level 2 to 8 – emergency lighting missing at numerous locations

- f) exit signs/directional exit signs damaged and/or missing
- g) smoke detectors missing at 'elevator lobbies'
- h) Fire safety plan signage missing at elevators
- i) Elevator functions to be confirmed (regular maintenance schedule to be confirmed)
- j) Levels 2 to 8 – corridors/closets full of garbage / impeded access to exits (Vancouver Fire Bylaw requirements applicable)
- k) entrance (exit through lobby) – construction material stored against wall, wood framing around security door to exit stair
- SLEEPING ROOMS –
- a) suite entry doors – rated doors required (20 minute fire protection rating required or accepted equivalent) / damaged and/or missing door hardware / doors not fitted into frames / doors do not latch.
- b) smoke detectors missing/damaged.
- c) rated demising walls between rooms – damaged/missing lath and plaster / (fire separations not provided / not continuous)
- d) rated floor assemblies – damaged/missing lath and plaster (fire separations not provided / not continuous)
- e) fire stopping missing at service penetrations through walls/floors (plumbing/electrical)
- f) insufficient fire blocking between wall and floor or inadequate construction of service shaft – numerous location where opening in floor visible through hole in wall
- g) water service to some rooms not working (Room 314, and others as noted by property use)
- h) numerous sleeping rooms missing rated suite entry doors (boarded up with sheets of plywood)
- i) numerous windows not operable / damaged
- COMMON WASHROOMS
- a) plumbing fixtures (toilets/sinks) damaged and/or missing
- b) holes through floor assemblies at damaged plumbing pipes
- c) damaged/missing light fixtures
- LEVEL 9 –
- a) low headroom at floor area / at exit stair
- b) rated exit door required / door hardware missing
- c) only one exit is provided from Level 9 floor area (two exits are required)
- d) directional exit signs required
- e) holes through rated floor assemblies throughout
- ROOF –
- a) access to elevator machine room (door to room locked – no access / door hardware missing)
- b) access to exit lighting missing from elevator machine room to Level 9 access door.
- Note – basement/Level 1 and 'mezzanine' not reviewed.

END OF GENERAL SITE REVIEW NOTES

David J. Steer, M.Eng., P.Eng., CP



Building Code Consultants Ltd
 4th Floor – 780 Beatty Street
 Vancouver B.C. V6B 2M1
 (604)682-7146

May 31, 2017

File No. 217140



City of Vancouver
453 West 12th Avenue
Vancouver, BC V5T 1V4

Attention: Mr. Patrick Ryan
Chief Building Official

**Re: Balmoral Hotel
Structural Building Review**

Dear Mr. Ryan:

On May 30, 2017 Glotman • Simpson Consulting Engineers attended the Balmoral Hotel located at 159 East Hastings Street, Vancouver BC. The intent of the visit was to provide a secondary review of the building structure and determine the extent of building structural deterioration and condition(s). The walk through was performed from levels 1 through 8 and onto the roof. Selective areas were exposed to view at hallways, bathrooms, sample living units, building common shafts, stairways, attic and rooftop. In areas where structure was not directly visible, the review looked for indications of structural distress potentially exhibited by excessive deflections and sag, moisture, cracking or deterioration of finishes, and odor.

The building framing appears to be a combination of steel beam and column framing and laminated wood lumber floors and walls for the residential levels above level 1. Building structural drawings were not available for review, and there appears to have been ongoing renovation in a number of areas so relying on existing documentation may be difficult.

Though our review was not exhaustive, we were able to identify several systemic issues that we believe should be addressed immediately:

Bathrooms

At the north end of the building along the east-west running corridor are two bathroom groupings stacked vertically up the building on successive floors. Floors, walls and ceilings all showed extensive signs of prolonged water damage, wood rot and general framing deterioration. In some areas, newer wood framing and plumbing piping appears to have been installed, but support framing remains in a deteriorated state. Wall assemblies have extensive and visible rot with finishes in many instances having sagged or fallen away entirely. In several instances visible running water ran down the surface of walls and finishes. In a handful of sample areas wood framing could be readily crushed by hand under minimal pressure.

Glotman · Simpson
CONSULTING ENGINEERS*

GS · Sayers
ENGINEERING LTD.

Glotman · Simpson
U.S. INC.

- Structural Engineers
- Seismic Restoration
- Building Evaluations
- Insurance Claims
- Litigation Support
- Specialty Engineering

1661 West 5th Avenue
Vancouver, BC
Canada V6J 1N5
T 604 734.8822
F 604 734.8842

1025-808 4th Avenue SW
Calgary, AB
Canada T2P 3E8
T 403 930.2100
F 403 930.2101

info@glotmansimpson.com
glotmansimpson.com

* A Partnership of Corporations



Hallways

Floor surfaces in observed areas consisted of built up wood flooring otop of structural laminated lumber framing spanning to support beams and walls. In many instances floor framing undulated over the length of hallways and at door thresholds, with a number of doorways left with limited ability to open based on pinched conditions of shifted floors or walls adjacent. In a handful of cases hallway surfaces could be felt sagging under foot traffic, though it is not clear if this movement is in the flooring and built up framing, or the structural assembly/support below.

Visible mold was noted in many locations on corridor walls, with drywall soft to the touch. Again, it is not clear what condition persists on the far face of finishes, although in several areas finishes had fallen off, or sagged away from the walls behind.

Shafts

There are a series of shafts that were exposed to view, most notably one flanking the north-east bathroom pod. Visible running water could be seen in the inside of the shaft running down rotten wood framing. Visible piping showed moisture running down the vertical stacks in a number of locations as well.

Sample Living Units

Approximately 6 living units were reviewed on levels 2 to 8 for a sample indication of persistent conditions. In those samples we noted deteriorated drywall and sagged ceilings, instances where portions of ceiling and drywall had collapsed or been removed from walls and framing, visible water damage staining, and sink fixtures that had been pulled off walls with visible and cracked and corroded vertical piping. Mold was observed on drywall finishes and finishes were soft to the touch in many instances.

Roof/Attic

Cursory review of the roof did not show a commensurate level of deterioration to the levels below. Similarly, under cursory review the attic appeared to be dry, though it was raining the day of the review. There did not appear to be significant signs of prolonged water ingress at this level.

Recommendations:

The review by Glotman Simpson identified a number of areas that we recommend be explored swiftly and in more detail. We recommend the following at this time:

1. Remove finishes in areas of visible rot or soft drywall to observe the condition of base building support framing (this includes bathrooms, hallways, living units and shafts). Structural Engineer of Record to review exposed base building framing for further intervention/specification.
2. Shore bathroom floors and adjacent flooring spans to prevent localized failure of floor or wall framing. Engage a shoring contractor/Engineer to provide

shoring layout for floor framing in existing bathrooms at the north end of the building floor plan on successive levels. Shoring should persist to a level of “sound” framing and over as many floors as may be required to support those above. Given the laminated flooring system design is incumbent on continuous spans, shoring will be required in adjacent spans in each direction flanking the bathrooms to ensure those spans are supported as well.

3. Exhaustive plumbing and envelope review should be undertaken. Given observed dry nature of the attic space, we are led to conclude that the bulk of the water ingress issues is from deteriorated piping throughout the building. Deterioration of finishes and support framing will persist until plumbing has been repaired throughout. We are not mechanical Engineers, nor envelope specialists and defer further comment to those parties.

Based on the foregoing it is our opinion that the building structure is not presently safe for occupancy. Exhaustive review of the building framing should be undertaken with finishes removed to properly observe the condition of structural framing and provide specified retrofit. We recommend that the shoring noted in item 1 be installed as soon as possible. To facilitate this work, and for occupant safety, we recommend that the building be vacated in an orderly fashion over the coming days. Ideally occupants could be removed within a week or two, during which time the shoring design can be undertaken with shoring subsequently installed upon the site being vacated.

We have reserved comment on the ground level and basement level. Glotman • Simpson did not tour those areas extensively, and ongoing construction and retrofit in those areas persists at present under the design and oversight of another Structural Engineer.

LIMIT OF LIABILITY

It should be noted that this letter is based on a visual inspection of the existing structure and building systems. Inspections were made on a random basis with no attempt to review or inspect every element or portion of the building. The intent of the inspections was to determine areas of visually obvious deterioration and to generally determine the overall quality and sufficiency of the work, but not to ascertain the quality or sufficiency of any specific aspect of the development. Furthermore, we have not carried out a detailed design analysis of the gravity resisting system of the building. A seismic review of the structure has not been done for the purposes of this report. Our comments are not a guarantee or warranty of any aspect of the condition of the development whatsoever.

This report was prepared by Glotman • Simpson Consulting Engineers for the account of The City of Vancouver. The material in it reflects the existing structural condition of the existing buildings to our best judgment in light of the information available to us at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Glotman • Simpson Consulting Engineers accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

The following items were not examined by us nor were they considered as part of the structural survey of the building:

- condition of the roofing system and any leakage concerns;
- building envelope design and condition issues;
- moisture considerations at exterior walls;
- plumbing, mechanical or electrical considerations;
- fire prevention requirements or condition of existing equipment and systems;
- review of the gravity and lateral resistance load paths ; and
- presence of hazardous materials such as asbestos, PCB's or toxic industrial waste.

We trust the above is satisfactory for your needs at this time. Please feel free to contact the undersigned if we can provide any further information or clarification on this matter.

Yours truly,

GLOTMAN•SIMPSON CONSULTING ENGINEERS



Per: Levi Stoelting P.Eng.,
Principal

cc: Saul Schwebs – Assistant Director, Building & Trades Inspections

Our ref: f:\2017\217140\general\balmoral hotel.rtf

REGISTERED AND REGULAR MAIL

PLEASE REFER TO:
Saul Schwebs, Assistant Director
Building Inspections
at 604.873.7040
saul.schwebs@vancouver.ca

ORDER TO VACATE

June 1, 2017

Balmoral Hotel Ltd.
159 East Hastings Street
Vancouver, BC, V6A 1N6

LEGAL NOTICE

Dear Sir/Madam:

RE: 159 East Hastings Street

Further to our previous correspondence regarding on-going concerns related to the upkeep of your building at the above location, the City has now received a Professional Structural Engineer's report and a Building Code Consultant's report indicating that the building in its current condition is not safe to occupy.

Some of the findings included in the reports are:

- Extensive water damages, serious wood rot and framing deterioration that put the building at risk of a structural failure and a localized collapse;
- Wood framing readily crushed by hand under minimal pressure;
- Running water on surfaces of walls and finishes further compromising the building structure;
- Visible mold in many locations on corridor walls with drywall soft to the touch;
- Floors sagging under foot traffic indicative of a weakened structural assembly/support system that puts occupants at risk;
- Numerous life safety deficiencies related to ignition sources, exiting and fire separations.

In addition to the above, a recent inspection carried out on May 30, 2017 revealed that numerous safety issues that you were required to rectify under previous City Orders were still outstanding.

Pursuant to Article 1.5.3.3 of Division C of the Building By-law, this building is hereby certified to be in an unsafe condition.

Therefore, in accordance with Article 1.5.4.2. of Division C of the Building By-law, you are **ORDERED TO:**

1. Cease occupancy of this building **BY MONDAY, JUNE 12, 2017** - in order to allow time for tenants to relocate; and
2. Once the building is completely vacant, retain the services of a shoring contractor, under supervision of a Professional Engineer, to shore up and stabilize the building, which is to be completed **BY JULY 14, 2017**; and
3. Provide and maintain a 24-hour fire watch of the above premises until the building has been stabilized and secured to the satisfaction of the Chief Building Official.

If you do not comply with items 2 and 3 of this Order, the City will arrange for the 24-hour fire watch and the shoring work to be done at your expense pursuant to Article 1.5.3.4 of Division C of the Building By-law, and place the amount onto your property tax roll if the costs incurred are not paid.

Yours truly,



P. Ryan, M. Sc., P. Eng.
Chief Building Official and
Director, Building Code and Policy

/CW

Copy: Posted on building

Balmoral Hotel Ltd.
6626 Angus Drive
Vancouver, BC, V6P 5H9

June 2, 2017

NOTICE TO VACATE

TO TENANTS OF

159 E. Hastings St. - The Balmoral

The Chief Building Official has declared the above building to be in unsafe condition for residents.

Accordingly, the owner of the property has been ordered to cease occupying this building by **MONDAY, JUNE 12, 2017**. This means that you will be required to vacate your unit within the next 10 days.

You may contact the landlord, Mr. Pal Sahota at 604-767-5445, to discuss how this affects your tenancy and alternative accommodation.

Staff from the City, BC Housing and other organizations will be in the building today to provide additional information about tenant supports, immediate shelter options, and other information.

The City of Vancouver acknowledges the disruption to tenants caused by this Order, however, it is necessary to provide for your safety.

Yours truly,



Pat Ryan,
Chief Building Official
City of Vancouver

CONFIDENTIAL MEMORANDUM

June 2, 2017

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Janice MacKenzie, City Clerk
Lynda Graves, Manager, Administration Services, City Manager's Office
Rena Kendall-Craden, Director, Communications
Kevin Quinlan, Chief of Staff, Mayor's Office
Katie Robb, Director, Communications, Mayor's Office
Naveen Girm, Director, Community Relations, Mayor's Office
Adam Palmer, Chief Constable, Vancouver Police Department
Andrew Naklicki, Chief Human Resources Officer
Bill Aujla, General Manager, Real Estate and Facilities Management
Francie Connell, Director of Legal Services
Gil Kelley, General Manager, Planning, Urban Design and Sustainability
Jerry Dobrovolny, General Manager, Engineering Services
John McKearney, Fire Chief and General Manager, Vancouver Fire and Rescue Services
Kathleen Llewellyn-Thomas, General Manager, Community Services
Kaye Krishna, General Manager, Development, Buildings and Licensing
Malcolm Bromley, General Manager, Park Board
Patrice Impey, General Manager, Finance, Risk and Supply Chain Management
Sandra Singh, City Librarian, Vancouver Public Library
Pat Ryan, Chief Building Official

FROM: Paul Mochrie, Deputy City Manager

SUBJECT: Balmoral Hotel

I am writing to provide an update on the City's action to address safety issues and unacceptable living conditions for tenants in the Balmoral Hotel. Please note that this memorandum is intended for Council only; the City will be issuing a public information bulletin shortly and will also be releasing the documents attached to this memo.

In summary, recent assessments of the building by City staff and independent professionals have identified serious and immediate risks to occupants, including structural deficiencies

and inadequate fire protection. Based on those assessments and the recommendations of the independent structural engineering consultant retained by the City, the Chief Building Official (CBO) has declared the building unsafe for occupancy. An order will be issued to the owner today requiring the evacuation of the building by June 12, 2017 and requiring immediate action to install shoring within the building and stabilize the structure to allow for further detailed assessment. A copy of the CBO's order is attached for your information.

Notwithstanding the owners' statutory obligation to provide alternate accommodation for displaced tenants, we are working with BC Housing and Vancouver Coastal Health to provide all possible support for residents, including assistance with access to housing or emergency shelter and transportation of personal belongings. We are also exploring every possible avenue, including legal tools and possible direct investment by the City and other partners, to ensure the building is restored to an acceptable condition and can be re-occupied.

Additional detail regarding the history of this building, the authority under which the CBO has ordered the cessation of occupancy and the steps that the City is taking to support tenants is provided below.

Background

The Balmoral Hotel at 159 Hastings Street is a Single Room Accommodation hotel ("SRA") owned by Balmoral Hotel Ltd. (the "Balmoral"). Balmoral Hotel Ltd. is controlled by members of the Sahota family. The Balmoral serves a hard to house clientele and the building has been a significant problem for both the VPD and the City for a considerable period of time.

On October 19, 2016 a lawsuit was filed by Jason Gratl on behalf of Harold Jay Slaunwhite in which he is seeking to have a class action certified on behalf of the tenants of the Balmoral. The lawsuit seeks damages against the owners of the Balmoral and an order compelling the City to enforce the *Standards of Maintenance Bylaw*. The lawsuit is similar to one commenced by Mr. Gratl relating to the Regent Hotel but the Balmoral lawsuit has not progressed since the initial filing.

The City's enforcement of the *Standards of Maintenance Bylaw* is done by the City's Property Use Inspectors (PUIs) who conduct comprehensive annual inspections of SRAs, to determine ongoing compliance with the *Standards of Maintenance By-law*. Annual inspections of SRAs have been conducted since 2013. Prior to that, inspections of larger SRAs were conducted at the discretion of the PUI, though mostly on a semi-annual inspection cycle.

In addition, PUIs will address complaints from tenants as received, related to room issues such as pest control, non-functioning door locks, etc. If these complaints are addressed, they do not result in the issuance of letters or orders.

Inspections of the Balmoral Hotel over the last 30 years have consistently revealed *Standards of Maintenance Bylaw* issues. Many of the specific violations noted by the PUI have been resolved once they have been brought to the attention of the owners of the Balmoral. Certain violations that have not been resolved in a timely manner have been referred to prosecution and the City prosecutor is currently reviewing a number of proposed charges related to the Balmoral.

Since 2014, inspectors have identified and ordered remediation of over 740 violations of the Standards of Maintenance By-law. The City has also issued multiple orders relating to the building structure, as set out below.

As part of enforcement efforts by City staff, the owners of the Balmoral agreed in early 2016 to engage an engineering firm to oversee renovation work at the Balmoral. Spratt Emanuel were retained to carry out this work and they have been providing periodic reports to the building owners who have in turn shared those reports with City staff.

In June 2016 a structural issue was discovered in the basement, main floor and mezzanine of the Balmoral by Spratt Emanuel. The basement was declared unsafe to occupy and an order to vacate the basement was issued by the Chief Building Official. This structural issue was resolved but the basement of the Balmoral has not been re-occupied.

On May 26, 2017, the City received a concerning report from Spratt Emanuel which suggested that the building's overall structure may be compromised due to rot. In response to this report the City engaged an independent third party engineer and a code consultant. These independent experts provided reports which are attached to this memo.

In summary the reports state that there is a considerable life safety risk in continuing to occupy the Balmoral. The reports indicate that the Balmoral should be emptied until repairs can be undertaken to address these life safety issues.

CBO Authority

The Chief Building Official has the authority to order that the occupancy of a building in the City of Vancouver cease if he/she believes there to be an "unsafe condition":

Section 1.5.4.2 of the Vancouver Building Bylaw

Scope of Orders

- 1) The Chief Building Official may order:
 - g) the cessation of any occupancy if an unsafe condition exists

Unsafe Condition is defined as:

any condition that could cause undue hazard or risk to life, limb or health of any person authorized, expected, or anticipated to be on or about premises or a building or construction.

The Chief Building Official has determined that the structural and fire concerns at the Balmoral constitute an unsafe condition and he has issued an order pursuant to the *Vancouver Building Bylaw* directing that occupancy of the Balmoral cease as of June 12 and that the repairs be undertaken to ensure that the building does not collapse. Should individual tenants refuse to vacate the building, City would be forced to apply to court to enforce the evacuation order.

Implications for Tenants of the Balmoral

City staff understand that the Balmoral tenants are a vulnerable population with significant housing challenges; the evacuation of the building represents a measure of last resort that is being undertaken only on the basis of the imminent risk to those tenants' safety. The owners of the Balmoral have a responsibility to the tenants to provide them with accommodation pursuant to their tenancy agreements. Under the circumstances of the present emergency order to evacuate the building, that responsibility extends through to the end of July 2017. The failure of the Balmoral owners to provide accommodation to the tenants would be a violation of the *Residential Tenancy Act* and would likely entitle the tenants to compensation.

Tenants will be encouraged to contact the owners of the Balmoral Hotel directly to discuss how this order will affect their tenancy and alternative accommodation. However, notwithstanding the owners' statutory obligations, City staff expect that the building owners and the tenants will have difficulty coping with this abrupt cessation of occupancy and the need to find alternative accommodation. Staff recognize the stress this situation will create for tenants currently living at the Balmoral Hotel and, working in partnership with BC Housing and Vancouver Coastal Health, we have developed an evacuation and relocation plan to support them.

The plan includes the following elements:

- Staff have identified more than 150 housing vacancies (within the non-market and private housing stock) and emergency shelter beds as options for immediate relocation.
- Staff teams will be present on-site at the Balmoral Hotel and at a newly established triage centre, beginning at 9am on Friday, June 2nd. Staff teams, including Carnegie Outreach, Building Inspectors, BC Housing, Vancouver Coastal Health, will provide tenants with information and direct them to housing and shelter options.

Staff will also assist with transportation of belongings and will provide health and social services as needed.

The staff teams will be supported by the Vancouver Police Department and the Vancouver Fire and Rescue Services, as required.

As indicated above, the order to cease occupancy of the Balmoral is a measure that the CBO is taking only in the face of immediate and dire safety risks. We are reviewing all available avenues to ensure that this much-needed low-income housing stock is restored to a condition that is acceptable for occupancy. As one potential option, we will be exploring the case for direct investment by the City in capital improvements to the building and are also engaged in discussions with BC Housing regarding that possibility. The City's current capital budget includes \$2M for investment in upgrades to private SROs. Of course, any such investment would be conditional on a long-term agreement between the current owners and a non-profit housing operator to manage the building and the necessary renovation work.

Management of this situation and the impact on vulnerable tenants will require a significant effort on the part of City staff and VPD members over the coming weeks. We will keep Council apprised of developments as they occur.

If you have any questions at this time, please do not hesitate to contact me, Kaye Krishna at 604.873.7160 / kaye.krishna@vancouver.ca, or Kathleen Llewellyn-Thomas at 604.871.6858 / kathleen.llewellyn-thomas@vancouver.ca .

Yours truly,



Paul Mochrie
Deputy City Manager

tel: s.15(1)(l)

fax: 604.873.7641

paul.mochrie@vancouver.ca