



## REPORT

Report Date: March 9, 2022  
Contact: Jason Olinek  
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VanRIMS No.: 08-2000-20  
Meeting Date: July 5, 2022  
[Submit comments to Council](#)

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability in consultation with the Director of Legal Services

SUBJECT: Heritage Designation - 347 West Pender Street, Hartney Chambers

### **RECOMMENDATION**

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the retained heritage façades of the building known as the Hartney Chambers (the “heritage building”), which is listed on the Vancouver Heritage Register in the ‘B’ evaluation category and is located at 347 West Pender Street (PID: 015-502-091, THE SOUTH 75 FEET OF LOT 19 BLOCK 26 DISTRICT LOT 541 PLAN 210; PID: 015-502-104, THE SOUTH 75 FEET OF LOT 20 BLOCK 26 DISTRICT LOT 541 PLAN 210 (together, the “site”).
- B. THAT Recommendation A be adopted on the following conditions:
- i. THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - ii. THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

The purpose of this report is to seek Council approval to designate as protected heritage property the retained historic street façades (along West Pender Street and Homer Street) of

the heritage building known as the Hartney Chambers. The Development Permit Board may grant a conditional increase in the maximum allowable density on a site located within the boundaries of the Downtown District Official Development Plan (DDODP) where the proposed development would make a contribution to conserving a building or site designated by Council as protected heritage property.

To enable the proposed development and the proper rehabilitation and long-term protection of the retained historic street façades, the owner is seeking an increase to the maximum density of 10% (from 5.0 to 5.5 FSR). Council's approval to designate the heritage building is a condition that must be satisfied prior to approval of development permit application DP-2021-00952.

### **COUNCIL AUTHORITY**

Pursuant to Section 593 and 594 of the *Vancouver Charter*, Council may, by by-law, on terms and conditions as it considers appropriate, designate real property in whole or in part as protected heritage property. The proposed designation of the heritage building requires Council approval at public hearing and by-law enactment.

Pursuant to Section 595 of the *Vancouver Charter*, if sought, Council is required to compensate an owner of property being designated as a protected heritage property for any reduction in the market value of the property caused by the designation.

The following Council policies are applicable to this proposal:

- Vancouver Heritage Program (March 2020)
- Heritage Policies (2020)
- Downtown District Official Development (DODP) Plan (1975, last amended 2019)
- Downtown District (DD) Zoning and Development District Schedule (1975, last amended 2019)
- Victory Square Policy Plan (2005, last amended 2020)
- Victory Square Guidelines (2006, last amended 2020)
- Downtown Eastside Plan (2014, last amended 2018)

### **CITY MANAGER'S/GENERAL MANAGER'S COMMENTS**

The City Manager recommends approval of the foregoing.

### **REPORT**

#### ***Strategic Analysis***

**Site and Context** - The site is located in an area zoned Downtown District (DD), under land use sub-area 'C2' known as Victory Square (see Figure 1). The site includes three parcels with two heritage buildings: one parcel at the north of the site is oriented towards Homer Street featuring the World Building, addressed at 426 Homer Street; the other two parcels at the south of the site are oriented towards West Pender Street featuring the Hartney Chambers, addressed at 347 West Pender Street. A nine-storey apartment building is located to the immediate east of

the site at 337 West Pender Street, and across the laneway to the north is a two-storey retail and commercial building.

The historic Victory Square area is characterized by dense urban commercial pedestrian realm with narrow building frontages and robust continuous street wall in “saw-tooth” profile. The streetscape is primarily composed of late Victorian and Edwardian era commercial buildings with cubic massing, dense site coverage, and masonry street façades (load-bearing or unreinforced), and architectural features such as punched window openings and projecting cornices at the roof line.

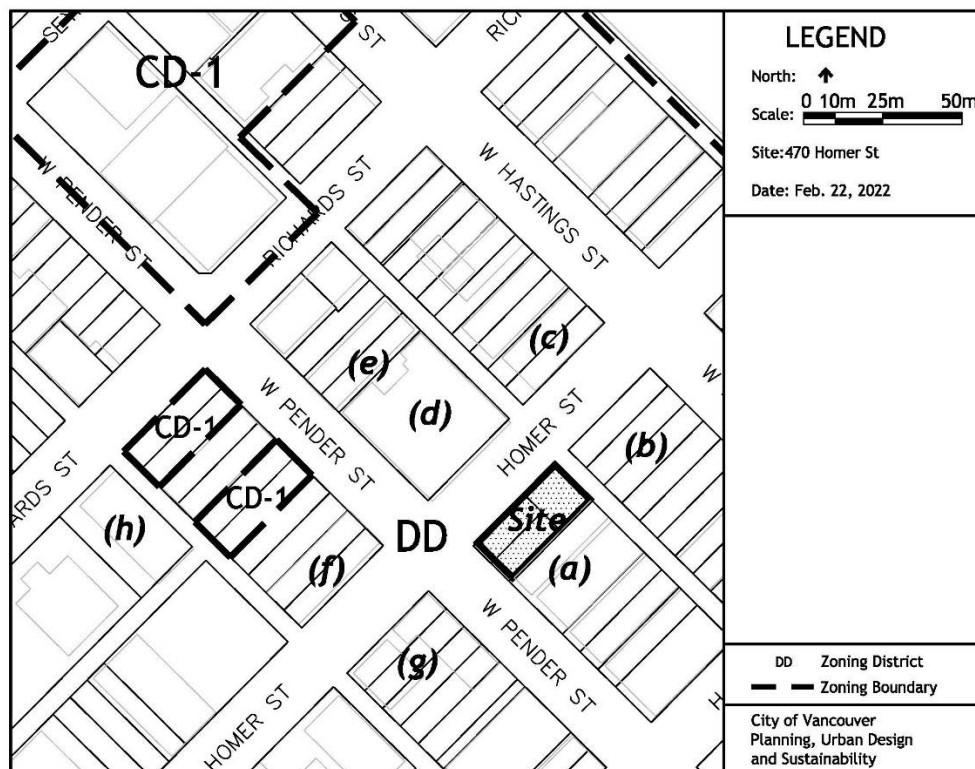


Figure 1: Site and surrounding zoning.

Significant adjacent development includes:

- a) 337 W Pender St (Pacifica Coast Apartments): 9-storey residential building
- b) 420 Homer St (also 390 W Hastings St, Vancouver Film School): 2-storey office building
- c) 400 W Hastings St (Vancouver Film School): 2-storey office building, VHR-B
- d) 415 W Pender St (Central City Lodge): 7-storey residential building
- e) 429 W Pender St (Hutchinson Block): 9-storey office building, VHR-C, designated SRA
- f) 402 W Pender St: 9-storey office building, VHR-B
- g) 350 W Pender St (Victoria Hotel): 3-storey hotel building, VHR-B
- h) 518 Richard St (Hotel Canada): 7-storey residential building, VHR-B, designated SRA

### **Heritage Value**

The Hartney Chambers was built in 1908-1909 featuring Edwardian-era architecture with surviving original Neo-classical detailing. It is valued for its association with architect William F.

Gardiner, and for its association with the Victory Square area as an important commercial and retail district in Vancouver in the early twentieth century. The heritage value and list of character-defining elements are summarized in the Statement of Significance (Appendix B), contained within the *Heritage Conservation Plan* that was submitted as part of the development permit application.

### ***Condition of the Heritage Building and Conservation Approach***

The primary conservation treatment is rehabilitation by way of façade-only retention. Although façade-only retention is typically not considered an appropriate conservation procedure, the proposed minimal retention was deemed acceptable by staff and advisory bodies (Vancouver Heritage Commission and Urban Design Panel) because of the existing condition of the base structure of the heritage building. The Structural Report by RJC noted that it has very little capacity to resist the forces required in the current Vancouver Building By-law with near complete reconstruction of the base structure required in order to accommodate proposed floor area and to improve its functionality for modern-day use.

Staff outlined conditions of approval within the Development Permit Staff Committee (DPSC) Report to Development Permit Board.

### ***Compatibility with Existing Zoning and Land Use Regulations and Community Plans***

The development permit application proposes intervention of the two existing buildings within the site: the historic World Building at 426 Homer Street will be demolished to accommodate a new six-storey building, and the Hartney Chambers (VHR-B) will be rehabilitated by façade-only retention, including a 3-storey addition above the parapet line of the retained historic street façades.

Staff recommended approval of the development permit application, subject to few technical conditions contained within the Development Permit Staff Committee (DPSC) Report presented to the Development Permit Board, dated April 4, 2022.

The proposed Conservation Plan is generally consistent with the *Standards & Guidelines for the Conservation of Historic Places in Canada*. The designation of the retained heritage façades of the Hartney Chambers is consistent with the intent of the *Vancouver Heritage Program* (VHP) to encourage the conservation and long-term protection of Vancouver's built heritage resources, and to promote good heritage stewardship citywide.

### ***Comments of the Vancouver Heritage Commission***

On January 31, 2022, the Vancouver Heritage Commission supported the development permit application, associated conservation plan and proposal to designate the retained historic front façades of the heritage building as protected heritage property (Appendix D).

### ***Financial Analysis***

There are no financial implications with respect to the City's operating expenditures, fees, or staffing.

### **Public Benefits**

The owner has offered to retain and rehabilitate the historic street façades of the Hartney Chambers along West Pender Street and Homer Street, and to accept the designation of the retained façades as protected heritage property, which is an invaluable historic asset and public benefit. The cost to the applicant of the heritage conservation scope of work is approximately \$2,060,000. The Public Benefits Summary is included in Appendix C.

The site is also subject to City-wide DCL and Utilities DCL, which will be calculated on the floor area proposed at the development permit stage. Based on rates in effect as of September 30, 2021, the DCLs are estimated to be approximately \$465,664.

### **Legal**

The owner's obligation to retain the historic street façades of the heritage building will be secured as legal obligations in an agreement (Restoration Covenant) to be registered on title to the site so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense. City staff and the owner have negotiated an agreement, which includes retention and conservation obligations on the part of the owner and enforcement provisions for the City.

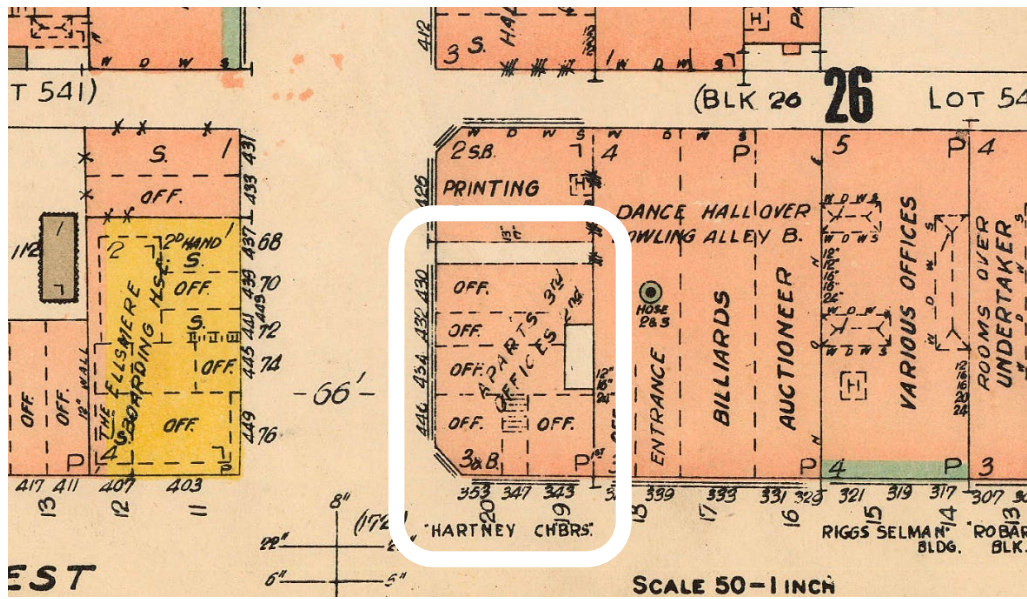
Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner for any reduction in the market value of property caused by a heritage designation. The owner has signed an agreement to be registered on title to the site explicitly stating that the owner has received full and fair compensation for the heritage designation of the heritage building's exterior and the obligations to rehabilitate and conserve the heritage building. The agreement will be executed by the City and registered on title to the site before a development permit for the project may be issued.

### **CONCLUSION**

The proposed designation of the retained historic street façades of the Hartney Chambers as protected heritage property will ensure that they will be protected from demolition and future unsympathetic alterations that would further diminish their heritage value. It also allows for a sympathetic development that complements the historic character of the Victory Square area, and maintains equitable living condition of the adjacent residential building. The owner has agreed to accept the aforementioned proposed Zoning and Development By-law relaxations as compensation for the proposed heritage designation, and for the heritage building's continued conservation. Therefore, staff recommend that Council approve the heritage designation of the retained historic street façades of the Hartney Chambers at 347 West Pender Street.

\* \* \* \* \*

Photographs



1920 Fire Insurance Plan (showing location of Hartney Chambers (outlined)).



Hartney Chambers, c.1985 (CVA 790-1855)





Hartney Chambers, 2020 (Donald Luxton & Associates)



Hartney Chambers, 2020 (Donald Luxton & Associates)

## 3 STATEMENT OF SIGNIFICANCE

### THE HARTNEY CHAMBERS BUILDING 347 WEST PENDER STREET, VANCOUVER, BC

#### Description of the Historic Place

Hartney Chambers is an Edwardian-era masonry commercial structure, with an English Neoclassical influence evident in the red brick, stone and masonry detailing of the two main façades. It is located at the northeast corner of Homer and West Pender Streets, within a context of commercial buildings in the Victory Square area of a similar age and scale in downtown Vancouver.

#### Heritage Value of the Historic Place

Constructed in 1908-09, Hartney Chambers is valued for its dignified Edwardian-era architecture. This commercial building, of modest height and size, is notable for its Neoclassical detailing. Embellishments such as pedimented windows, pilasters, block modillion cornice, and central pediment give the building a stylish, English appearance that would have been considered very progressive at the time.

This was an early local project by architect William F. Gardiner (1884-1951), who had arrived in Vancouver late in 1907. Just four months later he submitted the plans for the Victoria Block, located directly across West Pender Street from Hartney Chambers. His designs for Hartney Chambers, the Victoria Block, and for the Hutchinson Block, all date from this time period and are detailed with similar English stylistic references. Gardiner went on to establish a successful commercial and institutional practice, with a corporate clientele including banks, insurance companies, and automobile and service station companies.

Constructed as a commercial block with street level retail space and upper level offices, Hartney Chambers contributes to the continuity of the Victory Square area as an important commercial and retail district in Vancouver in the early twentieth century. Originally, Hartney Chambers housed a variety of professional offices, including William Gardiner's architectural office.

#### Character-Defining Elements

Key elements that define the heritage character of the Hartney Chambers include its:

- corner location, built on a north facing slope and built to the property lines on all sides;
- contribution to the streetscape, as part of an unbroken streetwall with continuous retail storefronts on two façades;
- commercial form, scale and massing, as expressed by its three-storey (with basement) height and regular, rectangular plan;
- flat roof with raised parapets;
- masonry construction, as expressed in the two main façades, with pressed red brick cladding with stone detailing, and rear and side walls of common red brick;
- Neoclassical details, such as block modillions cornice (sheet metal) with frieze incorporating a centred open pediment; two-storey giant order pilasters; front entrance door frame surround with bracketed crown; segmental, pedimented third-storey centre window with bracketed sill; and second-storey centre window with pediment supported by scrolled brackets;
- additional exterior details, such as the chamfered corner with corner entrance, recessed central entry with double doors to upper storeys flanked by doorway to the eastern commercial space, black and white square porcelain tile entrance floor with Greek key design border, two recessed and panelled entrances facing Homer Street, sheet metal courses capping first, second and third-storey windows, carved stone cartouche within the pediment, and light well on east elevation; and,
- regular fenestration: double-hung one-over-one wooden-sash windows on second and third floors; ground floor plate glass display windows with hinged, operable (hopper) transom lights, and basement windows in the storefront bulkheads along the west elevation.



**347 WEST PENDER STREET (HARTNEY CHAMBERS)  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

To develop a seven-storey mixed-use building with retail, office and restaurant uses at grade and office use on storeys two through seven, with surface parking accessed through the rear lane, including the façade-retention only, and rehabilitation of the Hartney Chambers Vancouver Heritage 'B' building.

**Public Benefit Summary:**

The project would result in the conservation and long-term protection of a heritage resource.

	Existing	Proposed (New)
Zoning District	DD (sub-area C2)	DD (sub-area C2)
Maximum FSR (site area = 579.5 m <sup>2</sup> ; 6,238 sq.ft.)	up to 5.0	up to 5.5 <i>(with municipal heritage designation)</i>
Subtotal of Building Floor Area	2,897.6 m <sup>2</sup> (31,190 sq.ft.)	3,177.3 m <sup>2</sup> (34,200 sq.ft.)
Land Use	Retail, Retail (limited food), Hotel	General Office, Retail, Restaurant

**Summary of development contributions expected from proposed development**

DCL (City-wide) <sup>1</sup>	\$346,044
DCL (Utilities) <sup>1</sup>	\$119,620
<b>TOTAL</b>	<b>\$465,664</b>

**Other benefits:**

Proposed heritage conservation scope of work is estimated to be approximately \$2,060,000.

<sup>1</sup> Estimate is based on buildable floor area of the non-heritage parcel. Based on rates in effect as of September 30, 2021. DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of instream rate protection, see the City's [DCL Bulletin](#) for details.

**Vancouver Heritage Commission (January 31, 2022)**

**1. 343 West Pender Street – Hartney Chambers  
VHR-B, Heritage Designation & Façade Retention  
DP-2021-00952**

Staff: Elijah Sabadlan, Heritage Planner  
Kevin Spaans, Senior Development Planner (Metrocore)  
Payam Fouladianpour, Project Facilitator

Applicant:  
Byron Chard, Chard Development Ltd  
Mark Whitehead, MCM Partnership  
Donald Luxton, Donald Luxton & Associates

Elijah Sabadlan provided a presentation and subsequently responded to questions and comments.

Byron Chard, Mark Whitehead and Donald Luxton presented the historic context, Statement of Significance, conservation recommendations, design principles, and architectural expression to the Committee, and responded to comments and questions.

Following discussion, it was

MOVED by Commissioner Gordon  
SECONDED by Commissioner Hung

**WHEREAS**

Hartney Chambers is an historic 1908-1909 building listed on the Vancouver Heritage Register as a “B”, and is located at 343 West Pender Street in the historic Victory Square area of downtown Vancouver.

**THEREFORE BE IT RESOLVED THAT**

1. The Vancouver Heritage Commission supports the Development Permit application for façade only retention of Hartney Chambers, and justification of density bonus of up to 10%, as compensation for designation; and
2. The Vancouver Heritage Commission supports the Heritage Conservation Plan prepared by Donald Luxton and Associates, as presented at the Vancouver Heritage Commission meeting on January 31, 2022, in particular:
  - a. The proposed conservation approach to Hartney Chambers and the demolition of the adjacent World Building; and
  - b. The proposed level of structural retention, authenticity, and integrity of character-defining elements

3. The Vancouver Heritage Commission supports the compatibility of the new structure with the retained exterior masonry walls of the Hartney Chambers (including, but not limited to: height; form, scale and massing; lack of setback, contemporary design); and
4. The Vancouver Heritage Commission supports compliance of the proposed, in particular the rooftop addition, with the Heritage Policies (2020), Section 3.1(d) and (e) and Victory Square Design Guidelines

Furthermore, it requests further design development on the following matters:

- Interior heritage elements, either through salvage and retention strategy, or through interpretation that reflects the character and quality of the heritage component
- Maintain the heritage architectural elements on all the entries to Hartney Chambers

CARRIED UNANIMOUSLY

**Draft Designation By-Law – 347 West Pender Street**

**DRAFT**

*Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.*

343 and 347 West Pender Street  
(Hartney Chambers)

**BY-LAW NO. \_\_\_\_\_**

**A By-law to designate certain real property  
as protected heritage property**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. Council considers that the real property described as:

The existing building's principal exterior facade along West Pender Street and the existing building's secondary exterior façade along Homer Street (Hartney Chambers)	343 and 347 West Pender Street Vancouver, B.C.	PID: 015-502-091 The South 75 Feet of Lot 19 Block 26 District Lot 541 PLAN 210
		PID: 015-502-104 The South 75 Feet of Lot 20 Block 26 District Lot 541 Pan 210

has heritage value or heritage character, and that its designation as protected heritage property is necessary or desirable for its conservation.

2. Council designates the real property described in section 1 of this By-law as protected heritage property under Section 593 of the *Vancouver Charter*.

3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk