Bill No. B-7

The Corporation of the City of Hamilton

BY-LAW NO. 84-250

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 172 HESS STREET NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 172 Hess Street North and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

(i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this 27th day of November A.D. 1984.

City Clerk

Mayor

(1984) 14 R.P.R.C. 15, August 28

SCHEDULE "A"
To
By-law No. 84-250
172 Hess Street North,
Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being composed of

FIRSTLY, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, (formerly of the County of Wentworth), and Province of Ontario and being composed of part of the unnumbered Lot in Block "D" according to Plan of Survey made for Messrs. McIlroy, Bamberger and Rymal and registered in the Registry Office for the Registry Division of Wentworth as Plan Number 119, and which may be more particularly described as follows, that is to say:

COMMENCING at a stake planted in the eastern limit of Hess Street where it is intersected by the production westerly of the line of the southern face of the southern wall of the brick dwelling erected upon the lands herein described and known as Number 172 Hess Street North, the said stake being distant one hundred and twenty-two feet and ten and three-quarters inches measured northerly along the said eastern limit of Hess Street from the northern limit of Harriet Street.

THENCE easterly to and along the southern face of the aforesaid wall and the production easterly of the line thereof being along the northern limit of a four foot alleyway ninety-eight feet to a stake planted in the western limit of a ten foot alleyway.

THENCE northerly and parallel with the aforesaid eastern limit of Hess Street being along the western Limit of the said ten foot alleyway twenty-three feet and six inches more or less to a point in a line drawn parallel with and distant four inches measured southerly at right angles from the northern face of the northern wall of the said dwelling number 172 Hess Street North.

THENCE westerly along the said last mentioned line ninety-eight feet to a point in the aforesaid eastern limit of Hess Street.

THENCE southerly along the said eastern limit of Hess Street twenty-three feet and six inches more or less to the place of beginning. On the above described parcel of land is erected brick dwelling known as Number 172 Hess Street North.

TOGETHER WITH the free and uninterrupted use, liberty and privilege of and passage in and along the said respective alleys, and together also with the free ingress, egress and regress to and for the said Grantees, their heirs, executors, administrators and assigns and their tenants and under-tenants for the purpose of alleyways at all times and seasons forever hereafter into, upon and out of the said respective alleys in common with one Thomas G. Peat, his heirs and assigns, being part of Lots 2, 23, 24, 25 and said unnumbered Lot.

SECONDLY in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, (formerly County of Wentworth), in the Province of Ontario and being composed of part of the unnumbered Lot in Block "D" according to the plan of McElroy, Bamberger and Rymal Survey registered as Plan No. 119, which said Block is bounded by Harriet, Hess, Windsor and Caroline Streets, in the said City of Hamilton, and the said parcel being more particularly described as follows:

COMMENCING at a stake planted in the eastern limit of Hess Street where it is intersected by the production westerly of the line of the southern face of the southern wall of the brick dwelling erected upon the lands immediately to the north of the herein described lands and known as Number 172 Hess Street North, the said stake being distant one hundred and twenty-two feet and ten and three-quarter inches measured northerly along the said eastern limit of Hess Street from the northern limit of Harriert Street.

THENCE easterly to and along the southern face of the aforesaid wall and the production easterly of the line thereof being along the northern limit of a four foot alleyway ninety-eight feet and eleven inches more or less to a stake planted in the western limit of a ten foot alleyway.

THENCE southerly along the said western limit of the ten foot alleyway and parallel with the said eastern limit of Hess Street twenty feet more or less to a point distant one hundred and three feet and three and three-quarter inches measured northerly thereon from the said northern limit of Harriet Street.

THENCE westerly and parallel with the northern limit of Harriet Street ninety-six feet and eleven inches more or less to a point in the eastern limit of Hess Street distant one hundred and two feet and ten and three quarter inches measured northerly thereon from the northern limit of Harriet Street.

THENCE northerly along the said eastern limit of Hess Street twenty feet more or less to the place of beginning.

TOGETHER WITH a right of way in common with the owners of adjoining properties over the said ten foot alleyway which adjoins the herein described land to the east and extends from Harriet Street to Windsor Street. The said right of way being the easterly ten feet of the said unnumbered Lot and Lots 2, 23, 24 and 25 in the said Plan Number 119.

SCHEDULE "B"

To

By-law No. 84-250

REASONS FOR DESIGNATION

172 Hess Street North,

Hamilton, Ontario

The two-storey brick dwelling located at 172 Hess Street North was built in 1858 by Thomas Peat, carpenter. The house stands on a rise of land, overlooking the bay and, when built, was the northernmost residence on Hess Street.

Features of architectural distinction are its prominent siting, tall proportions, high end-chimneys, and the unusual detailing found over the door and under the eaves. Unique are the carved faces decorating the end brackets.

From 1858 to 1886, # 172 Hess Street North served as the home of Thomas Peat, listed as carpenter and builder, and of Seth J. Whitehead and his family for the following twenty-five years. Born in England, Mr. Whitehead was first in the iron business there, then in America from 1858 to 1878, and when coming to Canada, he became a leader in the metal industry as superintendant of the Hamilton Iron Forging Company, founded 1879. He was responsible for the establishment of the rolling mill in 1885. From his house, he could overlook the iron works below located on the block bounded by Hess, Barton, Queen and Stuart Streets.

Included in the designation are the front facade, roof, the end chimneys and architectural trim.