Bill No. C-88

The Corporation of the City of Hamilton

BY-LAW NO. 85-175

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 316 JAMES STREET SOUTH

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. 316 James Street South 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 August, A.D. 1985.

City Clerk Mayor

(1985) 8 R.P.R.C. 9, May 28

SCHEDULE "A"

To

By-law No. 85-175

316 James Street South,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of the following:

FIRSTLY

Parcel Unit 1, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and its appurtenant common interests.

SECONDLY

Parcel Unit 2, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

THIRDLY

Parcel Unit 3, Level 1 and its appurtent common interests as shown on Wentworth Condominium Plan No. 84 registered in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

FOURTHLY

Parcel Unit 1, Level 2, in the Register for Wentworth Condominium Plan No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

FIFTHLY

Parcel Unit 1, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SIXTHLY

Parcel Unit 2, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SCHEDULE "B"

To

By-law No. 85-175

REASONS FOR DESIGNATION

316 James Street South,

Hamilton, Ontario

Ballinahinch, the stately stone mansion located at 316 James Street South where Aberdeen Avenue intersects, was built originally in 1849-50 as the residence for Aeneas Sage Kennedy, a Scottish dry goods merchant. Known as the Wilderness, Kennedy's home was rebuilt after a fire caused major damage in 1853.When lawyer Edward Martin purchased the residence in 1870, he renamed the home Ballinahinch after his grandfather Humanity Martin's estate in Ireland. He also added such baronial attributes as the family coat-of-arms over the front entrance. Designer of the original building was William Thomas, a well known architect of the mid-19th century.

316 James Street South has been rated a building of architectural excellence in the Adamson inventory. It is highly valued as an outstanding example of the country villa style, showing both Italianate and Gothic features, and as a work of an important early Canadian architect. It is significant also as a rare survivor from one of Hamilton's most distinguished building periods, the era of limestone architecture (1840's-50's),when manorial estates populated the rising slopes of Hamilton mountain.

Ballinahinch formerly served as the private home of such leading Hamiltonians as Edward Martin, founder of the Martin and Martin law firm, publisher William Southam and industrialist Frank McKune.In 1944, 316 James South was converted into apartments and in 1980 into condominiums.

Of importance is the conservation of the original features of Ballinahinch, particularly on the east and south facades, including but not limited to the main tower, slate roof, the stone walls and decorative architectural features as well as the interior staircase, entranceway, and central hall.