08/27/85

Bill No. C-90

The Corporation of the City of Hamilton

BY-LAW NO. 85-177

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 433 BAY 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. 433 Bay 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 August, A.D. 1985.

City Clerk Mayor

(1985) 8 R.P.R.C. 6, May 28

SCHEDULE "A"

To

By-law No. 85-177

433 Bay Street North,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of parts of lots numbers eight(8) and nine (9) , in Block 39, according to plan of survey made for Sir Allan McNab, and registered in the Registry Office for the Registry Division of Wentworth as Number 127, and which may be more particularly described as follows, that is to say:- COMMENCING at a point in the western limit of Bay Street where it is intersected by the production easterly of the line of an existing picket fence, the said point being distant five feet and nine inches (5'9") measured on a course of north nineteen degrees and twenty minutes east (N.19°20'E) along the said western limit of Bay Street from the division line between lots number eight (8) and nine (9);

THENCE North sixty-nine degrees and eight minutes West (N.69°08'W) to and along the line of the aforesaid picket fence, fifty-eight feet (58') to a point;

THENCE North seventy-two degrees and forty minutes West (N.72°40'W) following the line of an old fence as marked by strands of wire strung on trees and posts, seventy-nine feet and nine inches to a point (79'9");

THENCE South nineteen degrees and twenty minutes West (S.19°20'W) and parallel with the said western limit of Bay Street, twenty-three feet and seven inches (23'7") more or less to a point in a line drawn on a course of North sixty-nine degrees and eight minutes West (N.69°08'W) from a point in the western limit of Bay Street which is distant twenty-seven feet and seven inches (27'7") measured southerly thereon from the place of beginning;

THENCE South sixty-nine degrees and eight minutes east (S.69°08'E) one hundred and thirty-seven feet and eight inches (137'8") more or less to a point in the western limit of Bay Street;

THENCE North nineteen degrees and twenty minutes East (N.19°20'E) along the western limit of Bay Street, twenty-seven feet and seven inches (27'7") more or less to the place of beginning.

ON THE above described parcel of land is erected the brick dwelling known as Number 433 Bay Street North.

TOGETHER WITH THE RIGHT to pass over, along and upon and use as a right-of-way, that part of the lands immediately adjoining on the south, being part of Lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:-

COMMENCING at the south-eastern angle of the hereinbefore described parcel of land.

THENCE southerly along the western limit of Bay Street, three feet and seven and three-quarter inches (3'7 3/4") more or less to a point in the production easterly of the line of the northern face of the northern wall of the brick dwelling erected upon the lands immediately adjoining on the south and known as number 431 Bay Street North;

THENCE westerly to and along the northern face of the aforesaid dwelling and the production westerly of the line thereof, fifty-five feet (55') to a point;

THENCE northerly and parallel with the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the southern limit of the hereinbefore described parcel of land.

THENCE easterly along the southern limit of the hereinbefore described parcel of land, fifty-five feet (55') to the place of beginning.

SUBJECT TO THE RIGHT by the owners, tenants and occupants of the aforesaid brick dwelling erected upon the lands immediately adjoining on the south and known as Number 431 Bay Street North to pass over, along and upon and use as a right-of-way, that part of the hereinbefore described parcel of land, being part of lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:-

COMMENCING at the south-eastern angle of the hereinbefore described parcel of land;
THENCE northerly along the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the production easterly of the line of the southern face of the southern wall of the aforesaid dwelling erected upon the lands hereinbefore described and known as Number 433 Bay Street North;

THENCE westerly to and along the southern face of the said last mentioned dwelling, thirty-one feet and seven and one-quarter inches (31'7 1/4") more or less to the south-western angle of the front portions of the said dwelling, the said angle being distant three feet and three and one-quarter inches (3'3 1/4") measured northerly at right angles from the southern limit of the herein described parcel of land.
THENCE continuing westerly and parallel with the southern limit of the hereinbefore described parcel of land, twenty-three feet and four and three-quarter inches (23' 4 3/4") to a point;
THENCE southerly and parallel with the western limit of Bay Street, three feet and three and one-quarter inches (3' 3 1/4") to a point in the southern limit of the hereinbefore described parcel.
THENCE easterly along the southern limit of the hereinbefore described parcel fifty-five feet (55') to the place of beginning.

DESCRIPTION APPEARS REGISTERABLE
NO

SCHEDULE "B"

To

By-law No. 85-177

REASONS FOR DESIGNATION

433 Bay Street North,

Hamilton, Ontario

#433 Bay Street North is a two-storey, brick residence built in 1885 by Henry Louis Bastien for his son Louis. The home is located in the historic port community of the North End on a height of land that overlooks the western end of Hamilton Harbour.

The significance of the building derives in part from its location and its close associations with Hamilton's waterfront history. Original owner of the property H.L.Bastien was a nationally known designer and builder of sailboats, canoes, rowboats, etc. The Bastien boatworks,founded in 1865, were located to the rear of the home.

The home remained in the Bastien family ownership for over 60 years until sold by his daughter Olevine in 1947.

Architecturally, #433 Bay Street North displays popular stylistic features of the period, notably,the bay window, contrasting brick trim, segmental arched windows and brackets.

The building is listed on Hamilton's Inventory of Architecturally and Historically Significant Buildings. Of particular importance in the conservation of this building are the east and south facades.