Bill No. D-141

The Corporation of the City of Hamilton

BY-LAW NO. 86-313

To Designate:

The Property Located at Municipal Nos. 252, 262 and 268 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 Nos. 252, 262 and 268 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 11th day of November A.D. 1986.

City Clerk Acting Mayor

(1986) 16 R.P.D.C. 30, August 26

SCHEDULE "A"

To

By-law No. 86- 313

252, 262 and 268 James Street South

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, in the Province of Ontario, described as follows:

FIRSTLY:

BEING COMPOSED OF a portion of the block of land lying between James, McNab, Markland and Herkimer Streets;

COMMENCING AT A POINT on the westerly side of James Street one hundred and twenty feet (120') south of and distant from where the westerly side of James Street intersects with the southerly side of Herkimer Street;

THENCE westerly and parallel to Herkimer Street one hundred and ten feet (110') to a private alleyway;

THENCE southerly along the easterly side of said alleyway seventy feet (70');

THENCE easterly and parallel to Herkimer Street one hundred and ten feet (110') to James Street;

THENCE northerly along the westerly side of said James Street seventy feet ot the place of beginning and being a portion of Lots Numbers Sixty-six and Sixty-seven in P.H. Hamilton's Survey in the said City of Hamilton;

TOGETHER WITH the use of the said private alleyway twelve feet in width extending northerly and parallel to James Street along the westerly margin of said lands hereby conveyed and other lands to the south limit of Herkimer Street as described in the Deed from Charles M. Counsell to Anna Augusta Coburn dated 23rd April, 1891 and duly registered as No. 48822 in Book for Hamilton on 9th May, 1891, being part of Lots 64, 65, 66, 67, 69 and 76.

SECONDLY:

BEING COMPOSED OF a part of the block of land lying between James, McNab, Markland and Herkimer Streets and being composed of parts of Lots Numbers Seventy-five and Seventy in Peter Hunter Hamilton's Survey;

COMMENCING AT A POINT on the southerly side of Herkimer Street at a distance of one hundred and seventy-nine feet three inches (179' 3") from the westerly limit of James Street, said point of commencement being the north-east angle of said Lot Seventy-five;

THENCE southerly parallel to James Street along the production northerly of the centre line of the party wall between the dwelling house erected upon the lands hereby conveyed and the dwelling house on the land immediately adjacent to the east thereof, to and along the centre line of the said party wall and the production thereof southerly parallel to James Street being also the

SCHEDULE "B"

To

By-law No. 86- 313

REASONS FOR DESIGNATION

252, 262 and 268 James Street South,

Hamilton, Ontario

252 JAMES STREET SOUTH

At the south-west corner of Herkimer and James Street South, business magnate Tunis B. Griffith erected a palatial home in 1891 that superbly exemplifies the bold and flamboyant character of late Victorian architecture.

Designed by noted local architect W. A. Edwards, 252 James Street South is an outstanding example of the Richardsonian Romanesque style of architecture -- the finest of its kind in Hamilton. Characteristic of this style are the wide, rounded arches set on short columns, the projecting round and square towers, the steeply pitched roofs, and the solid masonry walls enlivened by rock-faced stone and terra cotta trim.

Inside, the spacious entrance hall and stairway reflect an elegance of decoration in the elaborately carved woodwork and the colourful stained glass panels.

Owners of the home have all been prominent men of the community. The original owner, Tunis B. Griffith, achieved success as manager of the Hamilton Street Railway; Sir John S. Hendrie, businessman and politician, owned the home during the time he served as Lieutenant-Governor of Ontario, and his son, Major William Ian S. Hendrie, a distinguished military man and president of the Hamilton Bridge Works Company, inherited the home from his parents. In 1937 the building was sold to Sam Henson and subsequently converted into apartments.

Important to the preservation of the building are the original features of the east, north and south facades, including but not limited to the masonry walls, the hipped roof with cross gables, the slate roofing, the high, patterned chimneys and projecting towers, the windows and doorways, and the carved terra cotta and sandstone trim; and, in the interior, the vestibule and entrance hallway with its firepalce, doorways, stairway, and stained glass windows.

262 JAMES STREET SOUTH

Number 262 James Street South was built in 1892-93 for the president and manager of one of Hamilton's leading industries, Henry P. Coburn of Sawyer and Massey Company Limited, manufacturers of agricultural machinery.

Construction of the house immediately followed the completion of the Griffith mansion next door to the north, and Coburn's fashionable new home relates well to both its high-styled neighbours. Together, the group has a major impact on the historic character of the James South streetscape.

easterly limit of said Lot Seventy-five one hundred and fifty-five feet three inches (155' 3") more or less to the southerly limit of a lane or alley;

THENCE westerly along the southerly limit of said lane or alley twenty-nine feet six inches (29' 6") more or less to the point of intersection with the production southerly parallel to James Street of the centre line of the party wall between the dwelling house erected on the lands hereby and the dwelling house on the lands immediately to the west thereof;

THENCE northerly parallel to James Street along said southerly production of the centre line of the said last mentioned party wall to and along the centre line of said party wall and its production northerly parallel to James Street one hundred and fifty-five feet three inches (155' 3") more or less to its intersection with the southerly limit of Herkimer Street;

THENCE easterly along the southerly limit of Herkimer Street twenty-nine feet six inches (29' 6") more or less to the place of beginning;

TOGETHER WITH the use in common with the owners and occupiers of the two stone buildings on the lands immediately to the west of the lands hereby conveyed of the private alley twenty feet in width leading from McNab Street to the eastern boundary of the lands hereby conveyed.

THIRDLY:

BEING COMPOSED OF portions of Lots Sixty-four, Sixty-five and Sixty-six according to Peter Hunter Hamilton's Survey in the block bounded by James, McNab, Markland and Herkimer Streets;

COMMENCING AT A POINT where the western side of James Street intersects the southern side of Herkimer Street;

THENCE westerly along Herkimer Street aforesaid one hundred and ten feet (110') to an alleyway;

THENCE southerly and parallel to James Street along the eastern side of said alleyway one hundred and twenty feet (120');

THENCE easterly and parallel with Herkimer Street one hundred and ten feet (110') more or less to James Street;

THENCE northerly along the western side of James Street one hundred and twenty feet (120') to the place of beginning;

TOGETHER WITH the use of an alleyway twelve feet in width along the western margin of said lands to be used in common with one Charles Matthew Counsell, his heirs and assigns.

Representing a restrained urban version of the popular Queen Anne style, 262 James Street South nevertheless displays a lively composition of gables, octagonal bay, and hipped roof. Characteristic of the style are the combination of different materials and the delightful richness of detail evidenced in the picturesque spindlework balcony, the polygonal dormer with tent roof, and the variety of window shapes. The original front verandah that extended from the octagonal bay, across the facade and down the south side of the house has been removed.

Following the Coburns' residency, the home continued as a single-family dwelling until 1941, when it was converted into apartments by Sam Henson.

Important to the preservation of 262 James Street South are the original features of the east and north facades and the south gable wall, including but not limited to the hipped roof with cross gables, the slate roofing, the high, patterned chimneys, the original dormers, the brick walls with decorative sandstone and terra cotta trim, the spindlework balcony, the shingled gables, the original windows, doors and sunburst brackets.

268 JAMES STREET SOUTH

In 1894-95, the successful Hamilton financier Charles Counsell had his new residence constructed at the corner of James Street South and Markland Street. The eminent local architect James Balfour designed the stately home in the fashionable Queen Anne style, giving equal importance to both principle facades. Seen in the context of its 1890s neighbours, Counsell's home is a dynamic and forceful partner in a group that contributes substantially to the historic character of the streetscape.

Architecturally, 268 James Street South is a notable example of its kind, displaying the characteristic complex composition of projecting gables, porches and bays. Contemporary fascination with different materials found expression in the use of rock-faced ashlar, brick and patterned wood shingle to delineate each storey. Prominent architectural features are the porches, which are supported by classical columns set on raised foundations of stone. The Counsell residence is one of a few buildings still existing that are the work of James Balfour, who was well-known for his design of Hamilton's old City Hall.

Typical of the period, the house expresses the financial success of its owner, Charles Counsell, who made his fortune by investing in real estate, stocks and private banks. Subsequently, in 1923, the home was purchased by Robert Innes, a leading industrialist who headed Dominon Canners Limited and Zimmerknit Limited, and who served on boards of other manufacturing and financial firms. In 1953, Sam Henson purchased the property, which had already been converted into apartments.

Important to the preservation of 268 James Street South are the east, south and north facades, including but not limited to the front-gabled roof with cross gables, the masonry walls, the shingled gables, the porches, the original dormers, windows and doorways.