Bill No. D-18

The Corporation of the City of Hamilton

BY-LAW NO. 90-*34*

To Designate:

LANDS LOCATED AT MUNICIPAL NOS. 72 and 74 GEORGE STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation 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. 72 and 74 George Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, are 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" hereto annexed and forming part of this by-law, 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 *30th* day of *January* A.D. 1990.

City Clerk Mayor

(1989) 24 R.P.D.C. 11, October 31

Schedule "A"

To

By-law No. 90-34

72 and 74 George Street, 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 (formerly in the County of Wentworth), in the Province of Ontario being composed of:

FIRSTLY:

Part of Lot 9 and Part of Lot 10, Tiffany's Survey fronting on George Street in the block lying between King, George, Caroline and Hess Streets according to the County of Wentworth Land Registry Map or Office Plan of said City, being the easterly portion of said lot on which is erected a certain brick dwelling house No. 72 (formerly 40) on the said street more particularly known and described as follows, that is to say:

COMMENCING at a point on the northerly side of George Street where said street intersects the westerly side of the lane or passageway between the premises hereby conveyed and the premises and house No. 68 (formerly 38-1/2) on the east side thereof, said point of intersection being 207 feet 7 inches more or less measured easterly from Hess Street;

THENCE westerly along the north side of George Street a distance of 23 feet more or less to a point directly opposite the centre of the party wall between houses City Nos. 72 and 74;

THENCE northerly and parallel with the eastern boundary of said lot through the centre of the party wall between the house hereby conveyed and the next house adjoining on the west and the continuation thereof in all a distance of 95 feet more or less to a fence marking the rear boundary of the premises hereby conveyed;

THENCE easterly along said fence line and about parallel with George Street 14 feet 2 inches to a point where the said fence turns south easterly;

THENCE south easterly and still following along said fence line, 13 feet 7 inches to the westerly side of said lane or passageway at a point 85 feet more or less northerly from George Street;

THENCE southerly along the westerly margin of said lane 85 feet more or less to the northerly limit of George Street being the place of beginning.

TOGETHER WITH the right-of-way in, over and upon the alleyway between said Lot 9 and Lot 10 and the continuation thereof after it turns westerly, in common with the owners and occupants of said lots, reserving to one Allan Holford Walker, his heirs, and assigns a right-of-way in, over and upon said alleyway in common with the owners and occupants of said Lots 9 and 10.

The lands hereby conveyed being in George S. Tiffany's Survey.

The above lands are municipally known as 72 George Street, Hamilton, Ontario.

As described in Instrument No. 246588 C.D.

SECONDLY:

Part of Lot nine (9), on the North side of George Street in the block bounded by George, Hess, King and Caroline Streets, in G. S. Tiffany's Survey (unregistered), more particularly described as follows:

PREMISING that bearings are astronomic in nature and are referred to the Easterly limit of Hess Street as being North seventeen degrees, fifty-four minutes and forty-six seconds East (N. 17°54'46"E.) shown on Boundaries Act Plan No. BA-654 registered as Instrument D-8, and relating all bearings herein thereto;

- 4 -

COMMENCING at the point of intersection of the Northerly limit of George street with the production Southerly of the centre line of a Party Wall separating dwelling Nos. 76 and 74 George Street, the said point being distant twenty-three and twenty-five one-hundredths feet (23.25') measured South sixty-eight degrees, nineteen minutes and fourteen seconds East (S.68°19'14"E.) along the said Northerly limit from the Southwest angle of the said Lot 9, and also being the Southeasterly corner of Part 1 as designated on Plan 62R-5838;

THENCE North twenty degrees, eighteen minutes East (N. 20°18"E.) along the said centre line being also the Easterly limit of the said Part 1, seventy-eight and thirty-four one-hundredths feet (78.34') to an iron bar;

THENCE North eighteen degrees, eighteen minutes East (N.18°18'E.) continuing along the Easterly limit of that said Part 1, sixteen and forty-four one-hundredths feet (16.44') to the Southwesterly corner of Part 7 as designated on the said reference plan;

THENCE South sixty-eight degrees, thirty-eight minutes East (S.68°38'E.) along the Southerly limit of the said Part 7, twenty-six feet (26.0') to an iron bar;

THENCE South twenty-two degrees, fifty-nine minutes West (S.22°59'W.), forty-eight and eighty-three one-hundredths feet (48.83') to a point in the centre line of the Party Wall separating dwellings Nos. 74 and 72 George Street;

THENCE South twenty degrees, ten minutes and ten seconds West (S.20°10'10"W.) along the last mentioned centre line and its production Southerly, forty-six and eight one-hundredths feet (46.08') to a point in the Northerly limit of George Street;

THENCE North sixty-eight degrees, nineteen minutes and fourteen seconds West (N.68°19'14"W.) along the Northerly limit, last mentioned, twenty-three and twenty-five one-hundredths feet (23.25') to the point of commencement;

TOGETHER WITH a right-of-way for ingress and egress over Part 7 being part of said Lot 9 and Part 8 being part of Lot 10 on the North side of George Street, in the Block bounded by George, Hess, King and Caroline Streets, in G. S. Tiffany's Survey (unregistered), in the City of Hamilton, The Regional Municipality of Hamilton-Wentworth, Province of Ontario, both said Parts 7 and 8 included on a plan deposited in the Land Registry Office for the Registry Division of Wentworth at Hamilton as Plan 62R-5838.

As described in Instrument No. 356234 C.D.

SCHEDULE "B"

To

By-law No. 90- 34

REASONS FOR DESIGNATION

72-74 George Street, Hamilton, Ontario

Context

72-74 George Street constitutes two units of a three-unit, two storey brick rowhouse built in 1873-4 for tailor Charles Foster. This terrace now marks the eastern edge of Hess Village, a cluster of Victorian houses in the four blocks bounded by Main, King, Queen and Caroline Streets which was transformed into a small area of boutiques and professional offices in the early 1970s. Prior to this time, it was an integral component of a late 19th and early 20th century residential streetscape extending from Queen to Caroline, the easternmost section of which has since been lost.

Architectural Significance

Typical in form of terraces built in the City throughout the latter half of the 19th century, 72 and 74 George Street are three bay units with side entrances, separated by parapet walls with built-in chimneys. The doorways with both transom and sidelights are reminiscent of the City's stone terraces dating from the 1850s and 60s, as also are the cut-stone window and door sills and lintels. The eaves were originally embellished with wooden brackets reflecting the influence of the Italianate style on Hamilton's residential architecture in the 1870s. The building has survived relatively intact, although the four original ground floor windows (including the stone sills and lintels) were removed and replaced in the early 1970s by large bay windows reflecting the change from residential to commercial use.

History

The terrace was erected on the west side of Charles Foster's own house at 68 George Street (demolished in the mid-1970s). By the late 1880s all three units were individually owned. Since 1974 the terrace has accommodated a variety of retail establishments and restaurants, with #72 reverting back to residential use in 1983.

Designated Features

Important to the preservation of 72-74 George Street are the original features of the south (front) and east facades, including the roof and visible parapet walls, the doorways (excluding the modern doors), the second storey double-hung sash windows (originally all two-over-two), and the ground floor window openings (excluding the modern bay windows.

DYE & DURHAM CO LIMITED
Form No 985

Province of Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

D

FOR OFFICE USE ONLY

36282
NUMBER
CERTIFICATE OF REGISTRATION

1990 FEB 15 A 10: 21

WENTWORTH
No. 62
HAMILTON
LAND REGISTRAR

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 7 pages

(3) Property Identifier(s) Block Property Additional: See Schedule ☐

(4) Nature of Document
Designating By-law

(5) Consideration
Nil Dollars $ --

(6) Description
Part of Lots 9 and 10, in the block bounded by George, Hess, King and Caroline Streets, G.S. Tiffany's Survey (unregistered) in the City of Hamilton in The Regional Municipality of Hamilton-Wentworth
As described in Instruments No. 246588 C.D. and 356234 C.D.

New Property Identifiers Additional: See Schedule ☐

Executions Additional: See Schedule ☐

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☒

(8) This Document provides as follows:

By-law No. 90-34, attached

Continued on Schedule ☐

(9) This Document relates to instrument number(s) 246588 C.D. and 356234 C.D.

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y M D
The Corporation of the City of Hamilton		
(Applicant)		
By its Solicitor		
Lian Lawrence		1990 02 12

(11) Address for Service 71 Main St. W., Hamilton, Ontario. L8N 3T4

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y M D

(13) Address for Service

(14) Municipal Address of Property
72 and 74 George St.
Hamilton, Ontario
L8P 1C9

(15) Document Prepared by:
Philip R.A. Hooker
Acting City Solicitor
The Corporation of the City of Hamilton
City Hall, 71 Main St. W.
Hamilton, Ontario. L8N 3T4
File No. 40-98/89.9

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Fees and Tax	
Registration Fee	22.00
Total	

10174 (12/84)