The Corporation of the City of Hamilton

BY-LAW NO. 95- *116*

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 142, 144, 146, 148, 150, 152, 154, 156 and 160 JAMES STREET SOUTH

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. 1990, Chapter O.18;

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(6)(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. 142, 144, 146, 148, 150, 152, 154, 156 and 160 James Street South and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, 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" 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 *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

Schedule "A"

To

By-law No. 95-*116*

James South Stone Terrace
142, 144, 146, 148, 150, 152, 154, 156, 160 James Street South, Hamilton

142 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel of land and premises situate, lying and being in the said City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of the northerly part of Lot Number Thirteen (13) on the corner of James and Bold Streets in the last survey of Lots made by the late Peter Hamilton in said City and which said parcel of land may be better known and described as follows, that is to say:

COMMENCING at the northeast corner of said Lot at the intersection of James and Bold Streets:

THENCE southerly along the westerly side of James Street a distance of twenty-nine feet seven and one-half inches more or less to a post being the point of intersection of the middle of the party wall between the messuage hereby conveyed and the adjoining one produced in a straight line and the westerly side of James Street:

THENCE westerly and passing through the middle of said party wall and parallel with Bold Street a distance of one hundred and eighteen feet six inches more or less to the easterly boundary of the lane immediately in rear of the stone stable belonging to said premises:

THENCE northerly along the easterly boundary of said lane and parallel with James Street to the southerly boundary of Bold Street:

THENCE easterly along the southerly boundary of Bold Street to the place of beginning said premises being known as Number 142 James Street South in said City of Hamilton.

As in Instrument Number 161856 A.B.

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144 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 and being composed of part of lot number thirteen (13) and part of lot number fourteen (14), in P. H. Hamilton's Survey, being in the block bounded by Duke, Bold, James and MacNab Streets, and which parcel or tract of land may be more particularly described as follows, that is to say:-

COMMENCING at a point in the western limit of James Street, where it is intersected by the production easterly of the centre line of a wall between the stone building erected upon the herein described parcel of land, formerly known as Municipal Number 84 James Street South, now known as Municipal No. 144 James Street South, and the stone building erected upon the lands adjoining the herein described parcel of land on the north, formerly known as Municipal Number 82 James Street South, now known as Municipal Number 142 James Street South, the said point of intersection being distant thirty feet three and one-half inches (30' 3½") measured southerly along the western limit of James Street from the northeastern corner of the said lot number thirteen (13), being the intersection of the western limit of James Street with the southern limit of Bold Street.

THENCE southerly along the western limit of James Street twenty-nine feet and three inches (29' 3") more or less to a point in the production easterly of the centre line of the wall between the said stone building erected upon the herein described parcel of land and the stone building erected upon the lands adjoining the herein described parcel of land on the south and known as Municipal Number 146 James Street South.

THENCE westerly to and along the last mentioned centre line and the production of the line thereof westerly one hundred and eighteen feet, eleven and three-quarter inches (118' 11 3/4") more or less to a point in the western limit of the said lot number 14 being the eastern limit of a ten foot (10') alleyway the said point being distant sixty feet, six inches (60' 6") measured southerly along the eastern limit of the said alleyway from the southern limit of Bold Street.

THENCE northerly along the western limits of the aforesaid lots numbers fourteen and thirteen (14 and 13) and being along the eastern limit of the said ten foot (10') alleyway, twenty-nine feet three and three-quarter inches (29' 3 3/4") more or less to a point in the production westerly of the centre line of the wall between the aforesaid stone buildings, known as Municipal Numbers 142 and 144 James Street South.

THENCE easterly to and along the last mentioned centre line and the production thereof easterly one hundred and eighteen feet eleven and one-quarter inches (118' 11¼) more or less to the point of commencement.

ON THE ABOVE-DESCRIBED parcel of land is erected the semi-detached stone building known as Municipal Number 144 James Street South.

TOGETHER WITH ANY EXISTING RIGHT to pass over, along and upon and use as a right-of-way a ten foot (10') alleyway extending southerly from the southern limit of Bold Street to the northern limit of Duke Street and being composed of the eastern ten feet (10') of lots numbers eighteen (18) and twenty-five (25) according to P. H. Hamilton's survey being in the block bounded by Duke, Bold, James and MacNab Streets.

As in Instrument Number 322118 H.L.

146 JAMES STREET SOUTH, HAMILTON, ONTARIO

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario, and being composed of:

FIRSTLY a portion of Lot Number 14 on the west side of James Street in the last survey of lots made by the later Peter Hunter Hamilton in the said City of Hamilton, according to the survey and plan of the same made by Thomas Allen Blythe, P.L.S., Plan No. 1270, on which portion of land hereby conveyed is erected a stone dwelling house, being the most northerly of a row of five stone dwelling houses known as "Murisons Block" and which said dwelling hereby conveyed is better known as City No. 146 James Street South, and may be more particularly described as follows, that is to say:-

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house known as City 146 from that immediately to the south of same and at a distance of 84 feet 04 inches more or less from the southwest corner of Bold and James Streets;

THENCE west and following the centre of said stone wall a distance of 120 feet more or less to an alleyway;

THENCE north parallel with James Street, 24 feet 06 inches more or less to a point;

THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City No. 146 aforesaid from that immediately to the north thereof, 120 feet more or less to the westerly margin of James Street aforesaid;

THENCE south along the westerly margin of James Street aforesaid, 24 feet 06 inches more or less to the place of beginning; together with the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides, being also Part of Lot 14, as party walls and any and all rights existing in relation thereto and together with the free use and enjoyment at all times of the alleyway in the rear of said lands and premises.

As in Instrument Number 361514 C.D.

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148 JAMES STREET SOUTH, HAMILTON, ONTARIO

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house known as City Number 148 from that immediately to the south of same and at the distance of 108 feet, 10 inches from the south-west corner of Bold and James Streets;

THENCE west and following the centre of said stone wall a distance of 120 feet more or less to an alleyway;

THENCE north parallel with James Street 24 feet and 6 inches more or less to a point situated at the distance of 84 feet 4 inches more or less from the southerly margin of Bold Street;
THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City Number 148 aforesaid from that immediately to the north thereof 120 feet more or less to the westerly margin of James Street aforesaid;
THENCE south along the westerly margin of James Street aforesaid 24 feet and 6 inches more or less to the place of beginning.
TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides thereof as party walls and any and all rights existing in relation thereto and together with the free use and enjoyment at all times of the alleyway in rear of said lands and premises.
As in Instrument Number 464174 C.D.

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150 JAMES STREET SOUTH, HAMILTON, ONTARIO

COMMENCING at a point on the West side of James Street opposite the centre of the stone wall separating the house known as City Number 150 James Street South from that immediately to the North of same and at a distance of One Hundred and eight feet ten inches (108' 10") more or less measured Southerly from the Southwesterly angle of Bold and James Streets;
THENCE West and following along the centre of said stone wall a distance of One Hundred and twenty feet (120') more or less to an alleyway;
THENCE South and parallel with James Street Twenty-four feet six inches (24' 6") more or less to a point;
THENCE Easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City Number 150 James Street South from that immediately to the South thereof, One Hundred and twenty feet (120') more or less to the Westerly margin of James Street aforesaid;
THENCE North along the Westerly margin of James Street aforesaid, Twenty-four feet and six inches (24' 6") to the place of beginning.
TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north being Lot 14 and south sides thereof being Lot 15 as party walls and any and all rights existing in relation thereto;
AND TOGETHER WITH the free use and enjoyment at all times of the alleyway in the rear of said lands and premises. And being part of Lot 18 and 25 on said Plan.
As in Instrument Number 389622 C.D.

152 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, being composed of part of Lot Fifteen (15) on the west side of James Street in the last survey of lots made by the late Peter Hunter Hamilton in said City having a frontage of twenty-four feet six inches (24' 6") more or less on James Street, and extending back the same width one hundred and eighteen feet six inches (118' 6") more or less to an alley ten feet (10') in width in rear of the east sides of Lots Eighteen (18) and Twenty-five (25) in the same block.

TOGETHER WITH the right to the use of the walls between the property hereby conveyed and that adjoining same on the north and south sides as party walls which said dwelling hereby conveyed is better known as City Number 152 James Street South being part of Lot Fifteen (15) and more particularly described as follows:

COMMENCING at a point on the west side of James Street opposite the middle of the stone partition wall separating the house known as City Number 150 James Street South from that hereby conveyed and at a distance of one hundred and thirty-three feet and four inches (133' 4") more or less from the south-west angle of Bold and James Streets;

THENCE west parallel with Bold Street and following the middle of said stone party wall and continuing on the same course a distance of one hundred and eighteen feet and six inches (118' 6") more or less to an alleyway ten feet (10') in width running from Bold Street to Duke Street over the east ten feet (10') of Lots Eighteen (18) and Twenty-five (25) aforesaid;

THENCE south parallel with James Street twenty-four feet six inches (24' 6") more or less to a point opposite the centre of the stone party wall between the house on the lands hereby conveyed and that on the lands adjoining on the south;

THENCE easterly parallel with Bold Street aforesaid and through the middle of the said stone partition wall one hundred and eighteen feet and six inches (118' 6") more or less to the westerly margin of James Street aforesaid;

THENCE northerly along the westerly margin of James Street aforesaid twenty-four feet six inches (24' 6") more or less to the place of beginning.

TOGETHER WITH any and all rights existing in relation to the said party walls and also the free use and enjoyment at all times of the alleyway in rear of the said lands being part of Lots 18 and 25, Plan of Peter Hunter Hamilton hereby conveyed as an alleyway forever.

As in Instrument Number 109520 C.D.

154 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 and Province of Ontario and being composed of that portion of Lot Number Fifteen on the west side of James Street in the last survey of Lots made by the late Peter Hunter Hamilton in the said City of Hamilton, according to the survey and plan of the same made by Thomas Allan Blythe P.L.S. on which portion of land is erected a stone dwelling house being the most southerly of a block of five stone dwellings erected by the late George Murison on lots numbers fourteen and fifteen which said stone dwelling is better known as City number 154 James Street South and may be more particularly described as follows:

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house number 154 James Street South from that immediately to the north of the same and at the distance of one hundred and fifty-seven feet ten inches (157' 10") more or less from the southwest corner of Bold and James Streets;

THENCE west and following the centre of the said stone wall a distance of one hundred and twenty-seven feet more or less to an alleyway;

THENCE south parallel with James Street twenty-four feet six inches (24' 6") more or less to a point;

THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house number 154 James Street South from that immediately to the south thereof one hundred and twenty-seven feet more or less to the westerly margin of James Street aforesaid;

THENCE north along the westerly margin of James Street aforesaid twenty-four feet six inches more or less to the place of beginning.

TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides thereof, as party walls, and any and all rights existing in relation thereto.

AND TOGETHER WITH the free use and enjoyment at all times of the alleyway in rear of said lands and premises.

As in Instrument Number 337508 A.B.

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156 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, and being composed of the North part of Lot Number Sixteen (16) situate on James Street in the last survey of lots made by the late Peter Hunter Hamilton in the said City of Hamilton, Plan

Number 1270, and which said part of Lot Number Sixteen (16) has a frontage on James Street of Twenty-three Feet (23') more or less and extending same width as the front back from the said street One Hundred and Eighteen Feet, Six Inches (118' 6") more or less.

TOGETHER WITH the right to the walls and the use and support of same which now exist on the North and South side of the building on said premises the said North part of said Lot Number Sixteen (16) may be more particularly known and described as follows, that is,

COMMENCING on the West side of James Street at the distance of Ninety-six Feet, Two Inches (96' 2") from Duke Street;

THENCE Westerly One Hundred and Eighteen Feet, Six Inches (118' 6") more or less to the rear of the lot;

THENCE Northerly along the rear of said Lot Twenty-three Feet (23') more or less to the Northerly limit of said Lot;

THENCE Easterly along the Northerly limit of said Lot One Hundred and Eighteen Feet, Six Inches (118' 6") more or less to James Street;

THENCE Southerly along James Street Twenty-three Feet (23') more or less to the place of beginning.

TOGETHER WITH the right-of-way over, along and upon the Easterly Ten Feet (10') from front to rear of Lot Number Eighteen (18) fronting on Duke Street and over the Easterly Ten Feet (10') from front to rear of Lot Number Twenty-five (25) fronting on Bold Street, the intention being to convey the house and lands known as City Street Number 156 James Street South as they are at present enclosed.

As in Instrument Number 397900 A.B.

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160 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, and being composed of the southerly part of Lot Sixteen (16) on the west side of James Street, between Bold and Duke Streets, in that part of the City of Hamilton laid into lots by the late Peter Hunter Hamilton, and in accordance with the Survey and plan registered as Number 1270 thereof, made by Thomas A. Blyth, P.L.S. which parcel or tract of land may be more fully known and described as follows, that is to say:

COMMENCING at a distance of eighteen feet (18') six inches (6") more or less measured northerly from the south-east angle of said lot sixteen (16) and in and along the west side of the said James Street to a point;

THENCE westerly and parallel to Bold and Duke Streets, one hundred and eighteen feet six inches (118' 6") more or less to a point to a private ten foot (10') alley;

THENCE southerly and parallel to aforesaid James Street eighteen feet, and six inches (18' 6") more or less to a point;

THENCE easterly parallel with the said Bold and Duke Streets, one hundred and eighteen feet six inches (118' 6") more or less to the south-east angle of said Lot sixteen (16);

THENCE northerly and continuing along the westerly side of James Street a distance of eighteen feet six inches (18' 6") more or less to a point being the point of commencement.

UPON the aforesaid lands and premises is erected a two and one-half storey stone house municipally known as 160 James Street South, Hamilton, Ontario.

As in Instrument Number 73367 C.D.

Schedule "B"

to

By-law No. 95- *116*

James South Stone Terrace

142, 144, 146, 148, 150, 152, 154, 156, 160 James Street South, Hamilton

Context

Built between 1854 and 1860, the ten-unit stepped stone terrace extending along the west side of James Street South between Bold and Duke is a landmark and major anchor block in the James South heritage streetscape. Today, this long stone terrace dominates a row of historic buildings just south of the railway underpass; opposite, on the east side of James, the 19th and early 20th century buildings have been largely displaced by office towers.

Since Hamilton's early development, James Street has been a principal thoroughfare providing a vital transportation link between the waterfront and escarpment to the south. With the southward urban growth beginning in the 1850s, James Street South evolved as part of the city's most desirable residential area, noteworthy for its prestigious stone mansions and terraces, and later large Victorian homes. The first dramatic changes to the streetscape took place in the 1930s with two major construction projects: the TH&B railway underpass, which disrupted the visual continuity of James Street South, and the imposing eight-storey Medical Arts Building, a precursor of the modern high-rise development now scattered along its length. Less intrusive changes have resulted from the progressive conversion of single-family and row houses to commercial use: notably, the introduction of business signage and alterations to lower street facades.

History

Built for three separate owners: merchant John Mackenzie (#142-144), contractor George Murison (#146-154), and manufacturer Alexander Gordon (#156-160), all ten units were originally rented as single-family dwellings to prominent businessmen and professionals. After 1900, an increasing number of doctors and dentists took up residence and opened home practices in the terrace, a reflection of the growing concentration of medical practitioners in the immediate area. Since the 1950s the terrace has served a mixed commercial/residential use accommodating a variety of stores, galleries, restaurants, professional offices, and upper floor apartments.

Of particular interest is George Murison's association with the stone terrace: he was a well-respected contractor appointed in 1858 as builder of the Custom House and also played an active role in local politics, serving as a city councillor from 1856 to 1871, with one year as mayor in 1870. Another prominent Hamiltonian, Samuel Mills, owned the Gordon buildings in the 1860s. A highly successful businessman, who eventually became known as "one of the three wealthiest men in Hamilton", Mills also gained political recognition when appointed a life member of the Legislative Council of the Province of Canada in 1847 and a senator in the year of Confederation.

Architecture

The stone terrace on James Street South is one of few surviving pre-Confederation rowhouses in Hamilton. While the rowhouse was a common building type in the city, relatively few were built of stone; and of these early stone terraces dating from the 1850s and 60s, a number of fine examples have been lost (notably, Palmerston Terrace on Jackson Street West). In the area south of Main Street (known today as the Durand Neighbourhood) where the concentration of stone terraces was greatest, only four are still standing - Sandyford Place on Duke Street, Herkimer Terrace, 122-126 MacNab Street South, and the James South terrace.

The James South Stone Terrace is distinguished by its unrivalled length, the forceful simplicity of its design, and its finely crafted limestone ashlar facade. Erected by skilled immigrant masons using stone quarried locally from the escarpment, this terrace displays the high quality of design and workmanship that characterized Hamilton's early stone architecture. Although built in blocks for three different owners on a sloping site, the overall row possesses a homogeneous character achieved through the consistent use of limestone, uniform set-back and standard rowhouse format. Subtle distinctions were, however, created by varying the proportions and detailing of the three blocks. The two MacKenzie units feature two-storey pilasters and a horizontal string course between the first and second storey; the Murison Block is distinguished by its taller second-storey proportions and bracketed eaves; while the three Gordon units are narrower and, unlike the other ones, their entrances are located in the north bay.

On the whole, the terrace has survived remarkably well: the addition of dormers and one mansard roof (#158) as well as alterations to entrance doorways, stairways, and windows have not seriously undermined its original appearance. The only major change has been the replacement of the first storey stone facade at #156 by a projecting brick addition with a modern glazed storefront.

Designated Features

Important to the preservation of the James South Stone Terrace are the original features of the east (front) facades and north end wall, including: the limestone masonry walls and parapets; the cut stone sills, lintels, string courses, and pilasters; the original doorways and windows; and the bracketed eaves and other original details. Excluded are: the projecting store front added to #156; the various dormer additions; and the modern entrance porches, stairways, windows and doors.