Bill No. C-5

The Corporation of the City of Hamilton

BY-LAW NO. 95- 13

To Designate:

LAND LOCATED AT MUNICIPAL NO. 130 (120) BAY 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 No. 130 (120) Bay 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 13th day of December A.D. 1994

D. E. Wellwood

Acting CITY CLERK

MAYOR

(1994) 11 R.P.D.C. 10, July 26

Schedule "A"

To

By-law No. 95-13

130 (120) Bay Street South, Hamilton, Ontario

FIRSTLY

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 Lots 1 and 2 according to a Plan of Survey made by Thomas Allan Blyth, P.L.S., for Helen Rae, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, being a subdivision of Lots 18, 19, 20, 21 and 22, fronting on Hunter Street, in the block bounded by Bay, Hunter, Caroline and Bold Streets, according to George S. Tiffany's Survey of Lots in the said City of Hamilton.

SECONDLY

All and singular that certain parcel or tract of land and premises situate, lying and being in the said City of Hamilton, and being composed of part of the easterly half of lot 3 on the south side of Hunter Street between Bay and Caroline Streets, according to Helen Rae's Survey, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, and more particularly described as follows:

Commencing at a post planted on the south side of Hunter Street at the distance of 28 feet, 4-3/4 inches more or less from the north west corner of said Lot.

Thence southerly in a straight line through the middle of the party wall between the two brick houses on said Lot, 71 feet more or less to a point 15 feet south of the end of said party or partition wall (hereinafter called the partition wall).

Thence westerly parallel with Hunter Street, 1 foot more or less to a point at the centre (or on the middle line) of said Lot.

Thence southerly along the middle line of said Lot, 58 feet, 9 inches more or less to the southerly boundary of said Lot.

Thence easterly along said southerly boundary, 27 feet, 4-3/4 inches more or less to the south east corner of said Lot.

Thence northerly along the eastern boundary thereof, 129 feet, 9 inches more or less to Hunter Street.

Thence westerly along the southerly boundary of Hunter Street, 26 feet, 4-3/4 inches more or less to the place of beginning.

SAVING AND EXCEPTING THEREOUT AND THEREFROM the following lands:
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 parts of Lots Numbers 2 and 3 on the south side of Hunter Street between Bay and Caroline Streets, and being on a plan of survey known as Helen Rae, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, and which may be more particularly described as follows, that is to say,

Commencing where an iron bar has been planted in the southern limit of Hunter Street where the said limit is intersected by the production northerly of the centre line of the dividing wall between the brick house erected on the herein described parcel of land and known as Number 117 Hunter Street West and the brick house erected on the lands adjoining on the west and known as Number 119 Hunter Street West, the said iron bar being distant 135 feet, 6-3/4 inches measured westerly along the southern limit of Hunter Street from the western limit of Bay Street as shown on the said Registered Plan Number 66.

Thence southerly to and along the said centre line of the said dividing wall, 55 feet, 5-1/2 inches more or less to a point in the southern face of the southern wall of the main portion of the aforesaid brick house known as Number 117 Hunter Street West, the said point being distant 136 feet, 11-1/2 inches measured westerly parallel with the southern limit of Hunter Street from the western limit of Bay Street.

Thence westerly along the southern face of the southern wall of the aforementioned brick house known as Number 117 Hunter Street West, 2-1/2 inches to a point in the centre line of a brick wall dividing the brick additions erected in the rear of brick houses Numbers 117 and 119 Hunter Street West.

Thence southerly along the centre line of the last mentioned dividing wall, 13 feet, 9-1/2 inches more or less to a point in the centre line of the northern wall of the brick St. Mark's Church Sunday School building erected on the lands adjoining the herein described parcel of land on the south, the said point being distant 137 feet, 1 inch measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence easterly along the centre line of the aforesaid northern wall of St. Mark's Church Sunday School, and being parallel with the southern limit of Hunter Street, 13 feet, 8 inches more or less to a point in the production southerly of the easterly face of the brick addition erected in the rear of the aforementioned brick house known as Number 117 Hunter Street West.

Thence northerly along the said production of the easterly face of the last mentioned brick addition, 4-1/2 inches to the northern face of the northern wall of the St. Mark's Church Sunday School building herein mentioned, the said point being distant 68 feet, 10-1/2 inches measured southerly parallel with the western limit of Bay Street from the southern limit of Hunter Street, and being also distant 123 feet, 5 inches measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence easterly along the northern face of the northern wall of the aforementioned St. Mark's Sunday School, and being parallel with the southern limit of Hunter Street, 16 feet, 4 inches more or less to a point which is distant 107 feet, 1 inch measured westerly parallel with the southern limit of Hunter Street from the western limit of Bay Street.

Thence north-easterly in a straight line, 3 feet, 9 inches more or less to a point which is distant 66 feet measured southerly parallel with the herein firstly described course from the southern limit of Hunter Street, and being also distant 104 feet, 6-3/4 inches measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence northerly parallel with the herein firstly described course, 66 feet more or less to a point in the southern limit of Hunter Street.

Thence westerly along the southern limit of Hunter Street, 32 feet, 8 inches more or less to the place of beginning. On the above described parcel of land is erected brick house number 117 Hunter Street West.

PREVIOUSLY DESCRIBED IN INSTRUMENT NUMBER 494780 C.D.

Schedule "B"

to

By-law No. 95-13

Former St. Mark's Anglican Church

130 (120) Bay Street South, Hamilton

In 1877, construction of St. Mark's Anglican Church began at the southwest corner of Bay Street South and Hunter Street West. By January 1878, the church had its first service. Subsequently, a corner bell tower was erected on its Bay Street facade and, in 1925, the Sunday school was added to the west end of the sanctuary. The grounds in front of St. Mark's traditionally have been landscaped, creating a park-like setting for the church.

Context

In today's setting of high-rise apartment towers to the north, west and south, the St. Mark's property provides a welcome contrast with its open space and low-rise building. Situated across from the public grounds of Central School and City Hall, the church's front garden serves as an attractive amenity for the surrounding neighbourhood.

Architectural Significance

The church and Sunday school together create a single storey, L-shaped structure with an attached three-storey tower. It is the fifth Anglican church to be erected in Hamilton and the first to be constructed in brick. As originally built in 1878, St Mark's was a typical parish church building, designed in the vernacular Gothic Revival tradition. Characteristic of this late 19th-century version is the rectangular, one-storey, brick structure with gable roof, buttresses, belfry, and pointed arched windows. St. Mark's Church is distinguished in the use of brick corbelling and sets of triple arched windows which formerly contained stained glass. A bell tower, built later, adds a strong architectural feature to the east facade, while the gothic Sunday school and entrance porch of 1925 blend harmoniously with the original design of the church.

Historical Significance

The parish of St. Mark's was founded in 1877 by The Reverend R.G. Sutherland as the first "free pew" Anglican church in the city. St. Mark's is said to be the first Anglican church in Hamilton to introduce "advanced ritual" or high church service, daily service, Gregorian music, as well as many other innovations. After over a hundred years of serving the Anglican community, the church was closed and disestablished in 1989.

Designated Features

Of particular importance to the preservation of the former St. Mark's Church are the original features of the east, north, and south facades; the original window openings and doors; the Sunday School addition; the bell tower and the entrance porch. Also important to the site is the retention of the open green space which provides the church with an unique setting among the city's downtown churches.