Bill No. C-47

The Corporation of the City of Hamilton

BY-LAW NO. 95- *161*

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 207, 211, 213 and 215 FERGUSON AVENUE 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. 207, 211, 213 and 215 Ferguson Avenue 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 *29th* day of *August* A.D. 1995

CITY CLERK

MAYOR

(1995) 14 R.P.D.C. 7, May 30

Schedule "A"

To

By-law No. 95- *161*

207, 211, 213 and 215 Ferguson Avenue South, Hamilton, Ontario

207 FERGUSON AVENUE SOUTH

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot Number Eight on the east side of Ferguson Avenue between Forest and Charlton Avenues according to the Survey of the late Samuel Mills, Plan 1436, more particularly described as follows, that is to say:-

COMMENCING at a point in the easterly limit of Ferguson Avenue distant twenty-nine feet ten and three-eighths inches (29' 10-3/8") measured southerly from the northwesterly angle of said Lot Number Eight;

THENCE southerly along the said easterly limit of Ferguson Avenue twenty feet four and one-eighth inches (20' 4-1/8") to a point where a line drawn through the middle of the partition wall between the brick dwellings known as Numbers 207 and 209 Ferguson Avenue South, will when produced intersect the said easterly limit of Ferguson Avenue;

THENCE easterly along said line so produced and

THENCE continuing in a straight line through the middle partition wall and to the westerly limit of an alleyway at the rear of said Lot Number Eight, ninety-nine feet (99') more or less;

THENCE northerly along the westerly limit of said alleyway twenty feet four and one-eighth inches (20' 4-1/8") to a point distant twenty-nine feet ten and three-eighths inches (29' 10-3/8") measured southerly from the northeast angle of said Lot Number Eight (8);

THENCE westerly in a straight line ninety-nine feet (99') more or less to the place of beginning.

As in Instrument Number 072099.

211 FERGUSON AVENUE SOUTH

All and Singular that certain parcel of land and premises in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, and Province of Ontario, being composed of Part of Lot Nine (9) at the Northeast corner of Ferguson and Charlton Avenues according to the Survey of the late Samuel Mills more particulary described as follows, that is to say:

COMMENCING at a point in the easterly limit of Ferguson Avenue where a line drawn through the middle of the partition wall between brick dwellings numbers 213 and 211 Ferguson Avenue South will when produced intersect the said easterly limit of Ferguson Avenue, said point being distant Thirty-seven Feet Seven Inches (37' 7") measured northerly from the Southwest angle of said Lot;

THENCE easterly along the said line so produced and then continuing in a straight line through the middle of said partition wall and to the rear of said lot being the westerly limit of an alleyway Ninety-nine Feet (99');

THENCE northerly along the westerly limit of said alleyway Fifteen Feet, Ten Inches (15' 10") to a point where a line drawn through the middle of the partition wall between brick dwellings numbers 211 and 209 Ferguson Avenue South will when produced intersect the said westerly limit of said alleyway;

THENCE westerly along said line so produced; and

THENCE continuing in a straight line through the middle of said partition wall and to the easterly limit of Ferguson Avenue;

THENCE southerly along the easterly limit of Ferguson Avenue Fifteen Feet Ten Inches (15' 10") to the place of beginning.

TOGETHER WITH the right to use the partition wall between said dwellings 213 and 211 and 209 Ferguson Avenue South as a party wall in common with the owners and occupiers of Numbers 213 and 209 Ferguson Avenue South forever.

Being part of Lots Eight (8) and Nine (9). The premises herein are known as Municipal Number 211 Ferguson Avenue South.

As in Instrument Number 374212 C.D.

213 FERGUSON AVENUE SOUTH

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, being composed of Part of Lot Number Nine (9) at the northeast corner of Ferguson and Charlton Avenues according to the Survey of the late Samuel Mills, more particularly described as follows, that is to say:

COMMENCING at a point in the easterly limit of Ferguson Avenue where a line drawn through the middle of the partition wall between brick dwellings Numbers 215 and 213 Ferguson Avenue South will when produced intersect the said easterly limit of Ferguson Avenue, said point being distant Twenty-One Feet Nine Inches (21' 9") measured northerly from the south westerly angle of said lot;

THENCE easterly along said line so produced and

THENCE continuing in a straight line through the middle of said partition wall and to the rear of said Lot, being the westerly limit of an alleyway Ninety-nine Feet (99');

THENCE northerly along the westerly limit of the said alleyway Fifteen Feet, Ten Inches (15' 10") to a point where a line drawn through the middle of the partition wall between brick dwellings Numbers 211 and 213 Ferguson Avenue South, will when produced intersect the said westerly limit of said alleyway;

THENCE westerly along said line so produced and

THENCE continuing in a straight line through the middle of said partition wall and to the easterly limit of Ferguson Avenue;

THENCE southerly along the easterly limit of Ferguson Avenue Fifteen Feet, Ten Inches (15' 10") to the place of beginning, together with the right to use the partition walls between said dwellings 213 and 211, and 213 and 215 Ferguson Avenue South as party Walls, in common with the owners and occupants on Numbers 211 and 215 Ferguson Avenue South forever.

On which is said to be erected dwelling Number 213 Ferguson Avenue South, Hamilton, Ontario.

As in Instrument Number 380567 C.D.

215 FERGUSON AVENUE SOUTH

All and Singular that certain parcel or tract of land and premises situate lying and being in the said City of Hamilton composed of part of the south half of lot number nine (9) at the north east corner of Ferguson and Charlton Avenues according to the survey of the late Samuel Mills described as follows:

COMMENCING at the south west corner of said lot number nine (9) which point is at the intersection of Ferguson Avenue and Charlton Avenue;

THENCE north along the easterly limit of Ferguson Avenue twenty-one feet nine inches (21' 9") more or less to a point where the production westerly of the centre line of a brick partition wall dividing the house erected on the lands herein described and the house immediately to the north thereof intersects the easterly limit of Ferguson Avenue;

THENCE easterly to and through the centre line of the said partition wall and the continuation thereof easterly one hundred and nine feet (109');

THENCE southerly parallel with the easterly limit of Ferguson Avenue twenty-one feet nine inches (21' 9") more or less to the northerly limit of Charlton Avenue;

THENCE westerly along the northerly limit of Charlton Avenue one hundred and nine feet (109' 0") to the place of commencement.

TOGETHER WITH the right of way with the owners and occupants of houses Nos. 207, 209, 211 and 213 and all other persons entitled thereto to use a strip of land about eleven feet (11') in width lying immediately to the east of the lands herein described as an alleyway. Upon the lands hereby conveyed or intended so to be is erected a brick dwelling known as 215 Ferguson Avenue South, Hamilton.

TOGETHER WITH the use in common of a party wall between Nos. 215 and 213 Ferguson Avenue South, Hamilton.

As in Instrument Number 94245 H.L.

Schedule "B"

to

By-law No. 95 - *161*

REASONS FOR DESIGNATION

207, 211, 213, 215 Ferguson Avenue South

Context

207, 211, 213, 215 Ferguson Avenue South make up four units of the five–unit rowhouse built in 1886–7, just north of Charlton Avenue East. Situated in the historic Corktown neighbourhood, this brick terrace overlooking the grounds of Queen Victoria Public School is an integral component of a continuous streetscape of late 19th and early 20th century buildings extending from the base of the escarpment along the east side of Ferguson to Forest Avenue and westward along Forest to Walnut Street. Directly south of Charlton stands the *designated* High Victorian brick rowhouse at 219–227 Ferguson Avenue, and the former high level pumping station built in 1912. The open space opposite #207–215 was once occupied by a row of modest frame and brick dwellings, demolished when the new public school was built in 1963. To the rear of the terrace is a low–rise housing development, built recently on an industrial site formerly occupied by the Armstrong Cartage Company.

With the building of the Hamilton–Lake Erie Railroad in the 1870s, Ferguson Avenue became the city's major north–south railway corridor. Present–day Ferguson Avenue, now that the tracks have been removed, has the potential to be one of Hamilton's most important mountain–to–bay linkages for both vehicular and pedestrian traffic. The historic buildings along Ferguson Avenue take on additional significance due to their location on this major north–south corridor.

Architecture

One record of Hamilton's rapid growth in the latter part of the 19th century is the proliferation of brick rowhousing which appeared in downtown neighbourhoods at this time. Typical of the more modest vernacular terraces erected in the 1880s and 1890s, 207–215 Ferguson Avenue South is one of relatively few surviving examples of this type in the Corktown neighbourhood, notable for its finely crafted wood detailing. Each unit features parapet end or dividing walls with built–in chimneys, two off–centred upper windows, and a single bay window with the hexagonal form characteristic of 1880s rowhousing. Its long front facade, stepped slightly to accommodate the gently sloping site, is dominated by the five large bay windows, originally all featuring sash windows, colonnettes, and bracketed eaves. The exposed brick masonry of units #207 and #213 reveal the original segmental arches over the front doorway and second–storey windows, accentuated by contrasting brick key and corner stones. In their

original form, the doorways were noteworthy for their arched transom lights and wood lintels embellished with rope moulding and fretwork (restored at #213). Beneath the soffits were decorative dentil bands (intact on only two units). Minor alterations have to some extent undermined the architectural integrity of the row as a whole: painting of the brick masonry, parging of parapet walls, replacement of original doors and windows, and removal or covering of decorative wood elements, but these changes are for the most part reversible.

History

Built as an investment property for Margaret McIntyre, the end unit at #207 was initially occupied by John McIntyre from 1887–9. Following Margaret's death, the rowhouse was sold by the executors of her estate in 1919. It then changed hands three more times before being subdivided and sold as five separate units between 1920 and 1921.

Designated Features

Important to the preservation of 207, 211, 213, 215 Ferguson Avenue South are the original features of the west (front), south (#215), and north (#207) facades, including the roof and parapet walls, the doorways and window openings (excluding any modern replacement windows and all five doors), the bay windows, and any surviving original wood trim. Excluded is the added verandah at #215.

Province of Ontario

Document General

Form 4 — Land Registration Reform Act

SoftDocs® 3.11 / Distributed by Do Process Software Ltd.

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UM 217199

CERTIFICATE OF REGISTRATION
CERTIFICAT D'ENREGISTREMENT
HAMILTON (62) HAMILTON

'95 09 12 14 25

LAND REGISTRAR
REGISTRATEUR

New Property Identifiers

Additional: See Schedule ☐

Executions

Additional: See Schedule ☐

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 8 pages

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

(4) Nature of Document

By-law to designate land for historic and architectural purposes

(5) Consideration

Dollars $

(6) Description

**Part of Lots Number Eight and Nine,
northeast corner of Ferguson and Charlton Avenues
Samuel Mills Survey
Registered Plan 1436
City of Hamilton
Regional Municipality of Hamilton-Wentworth
As previously described in Instruments Number 072099;
374212 C.D.; 380567 C.D. and 94245 H.L.**

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

(8) This Document provides as follows:

A certified copy of By-law No. 95-161, (enacted by The Corporation of the City of Hamilton on August 29, 1995) to designate the Box 6 land(s) for historic and architectural purposes, is attached hereto for registration on title to the Box 6 land(s).

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

072099; 374212 C.D.; 380567 C.D.; 94245 H.L.

(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,		
David A. Powers	D A Powers	**1995 09 05**

(11) Address for Service **P.O. Box 2040, 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

**207, 211, 213 and 215
Ferguson Avenue South
Hamilton, Ontario
L8N 2N2**

(15) Document Prepared by:

**City of Hamilton
Law Department
P.O. Box 2040, 71 Main St. W
Hamilton, Ontario
L8N 3T4
File: 40-98/95.4**

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	50.00
Total	