SUBJECT: Recommendation to Designate 209-211 James Street South, Hamilton, Under Part IV of the Ontario Heritage Act (PED07068) (Ward 2)

RECOMMENDATION:

(a) That the designation of 209-211 James Street South as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, 1990, be approved.

(b) That the Statement of Cultural Heritage Value and Description of the Heritage Attributes, attached as Appendix A to Report PED07068, be approved.

(c) That Corporate Counsel be directed to take appropriate action to designate 209-211 James Street South under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix B to Report PED07068.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The Hamilton LACAC (Municipal Heritage Committee) directed staff to prepare a Cultural Heritage Assessment for the building at 209-211 James Street South. It has been determined that the 1888-89 brick row-building located at 209-211 James Street South possesses cultural heritage value due to its association with the Victorian land-development process of subdivision and speculative building in the City of Hamilton. In its composition, design and materials, the building is a representative example of High Victorian residential architecture and retains its original architectural configuration of a two-storey building with hipped roof, bays and gables. Located in an area that contains a number of surviving nineteenth century buildings, 209-211 James Street South serves as a reminder of the James Street South Victorian streetscape, bordering the neighbourhoods of Corktown on the east and Durand on the west.

The property has been assessed using both the City of Hamilton Criteria and the Criteria for Determining Cultural Heritage Value or Interest, as defined in Ontario Regulation 9/06 of the Ontario Heritage Act, and is now being recommended for designation under Part IV of the Ontario Heritage Act.

BACKGROUND:

In September 2005, 2074765 Ontario Inc (Matthew Gentile and Liz DiRauso), the owner of 209-211 James Street South, Hamilton, requested the designation of the property under the Ontario Heritage Act (see Location Map attached as Appendix C-1 to Report PED07068, Figure 1).

At their meeting of October 27, 2005, the Hamilton LACAC (Municipal Heritage Committee) directed staff to prepare a Cultural Heritage Assessment for the property to determine whether the property is worthy of designation, and further that if the property is determined to be of cultural heritage value or interest, that staff prepare the Statement of Cultural Heritage Value and Description of the Heritage Attributes for consideration by the Hamilton LACAC (Municipal Heritage Committee), through its appropriate Sub-committee.

The property has since been assessed using a number of criteria and is recommended for designation (see Statement of Cultural Heritage Value and Description of Heritage Attributes attached as Appendix A to Report PED07068). The Cultural Heritage Assessment Report is attached as Appendix C to Report PED07068.

ANALYSIS/RATIONALE:

The intent in designating property is to enable a process of cultural resource management and conservation of identified, valued heritage features. This is usually undertaken through the consideration of subsequent heritage permit applications for alterations and additions to a property.
Designation is typically guided by the process of cultural heritage evaluation and assessment. The process, as evidenced in the attached Appendix C to Report PED07068, attempts to clearly identify those heritage values associated with a property. Those properties with clearly defined and distinctive heritage attributes are considered to be more worthy of designation than those where heritage attributes are poorly demonstrated or non-existent.

Following the completion of the cultural heritage assessment and evaluation of the subject property, it was determined by the Inventory and Research Sub-committee and heritage staff that there is sufficient cultural heritage value associated with this property to warrant designation under the Ontario Heritage Act.

This assessment is also in compliance with the Ontario Heritage Act, Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. According to the Criteria, a property may be designated under Section 29 of the Act if it meets one or more of the criteria. The subject property at 209-211 James Street South satisfies two of the three criteria: 1. historical value; and 3. contextual value.

**ALTERNATIVES FOR CONSIDERATION:**

Under Part IV of the Ontario Heritage Act, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may consider two alternatives: agree to designate property or decline to designate property.

**Decline to Designate**

By declining to designate, the municipality would be unable to provide protection to this heritage resource (designation provides protection against inappropriate changes and demolition). Without designation, the property would not be eligible for heritage grant and loan programs from all levels of government. Designation does not restrict the use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or affect its resale value. Accordingly, staff does not consider this an appropriate conservation alternative. This alternative would not be in keeping with the “Triple Bottom Line” and would not move the City closer to the vision for a sustainable community.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - Not applicable.

Staffing - Not applicable.

Legal - The designation process will follow the requirements of the Ontario Heritage Act and provide for adequate notice of Council’s intention to
SUBJECT: Recommendation to Designate 209-211 James Street South, Hamilton, Under Part IV of the Ontario Heritage Act (PED07068) (Ward 2) - Page 4 of 5

designate the property to the owner and the Ontario Heritage Foundation. Formal objections may be made under the Ontario Heritage Act and heard before the Conservation Review Board, prior to Council approving the designating By-law.

POLICIES AFFECTING PROPOSAL:

Official Plan policies of the former City of Hamilton support the conservation, protection and management of cultural heritage features. Designation of 209-211 James Street South, Hamilton, will be in accordance with these policies.

RELEVANT CONSULTATION:

Pursuant to Subsection 29 (2) of the Ontario Heritage Act, Council is required to consult with its Municipal Heritage Committee respecting designation of property under Subsection (1). At its meeting of January 25, 2007, the Hamilton LACAC (Municipal Heritage Committee) considered this request for designation, together with a staff report and Cultural Heritage Assessment (attached as Appendix C to Report PED07068), together with Statement of Cultural Heritage Value and Description of Heritage Attributes (attached as Appendix A to Report PED07068), and recommends that the designation of 209-211 James Street South under Part IV of the Ontario Heritage Act, be supported.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes □ No
Arts, culture, archaeological and cultural heritage are supported and enhanced.

Designation helps conserve Ontario's heritage, an irreplaceable resource. Protecting our heritage through designation strengthens a community’s identity and distinctiveness.

Environmental Well-Being is enhanced. ☑ Yes □ No
Waste is reduced and recycled.

It has been estimated that the rehabilitation of older buildings consumes 23% less energy than new construction, therefore, the drain on renewable and non-renewable resources is significantly lower than for new construction. The conservation of designated properties reduces the strain on dump and landfill sites where up to 60% of available space is currently filled with demolition and construction waste. Conservation of designated properties is more economically and environmentally sustainable than new construction, and the reuse of historic resources utilizes existing infrastructure.
Economic Well-Being is enhanced. ☑ Yes  ☐ No
Hamilton's high-quality environmental amenities are maintained and enhanced.

Designated properties can be recycled as useful and economically viable components of the City. When buildings are rehabilitated, the projects are labour intensive, usually using local trades and materials, thus serving as ideal sources of employment and investments in the community. In addition, statistics show that designation maintains, if not boosts, the value of property.

Does the option you are recommending create value across all three bottom lines?  ☑ Yes  ☐ No
Designation of properties creates value across all three bottom lines as noted above.

Do the options you are recommending make Hamilton a City of choice for high performance public servants?  ☑ Yes  ☐ No

Designation and protection of the City’s cultural heritage resources exhibit Council’s commitment to an ongoing program of heritage management.

:SV
Attachs. (4)
STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE ATTRIBUTES

Statement of Cultural Heritage Value
The 1888-89 brick row-building located at 209-211 James Street South possesses cultural heritage value due to its association with the Victorian land-development process of subdivision and speculative building in the City of Hamilton. In the capitalist urban society of the late-nineteenth century, the construction of buildings by speculative developers became increasingly common. Andrew Rutherford, an established Hamilton businessman, had the three, attached, two-storey residences built by contractor James Philips. In its composition, design and materials, the building is a representative example of High Victorian residential architecture and retains its original architectural configuration of a two-storey building with hipped roof, bays and gables. Soon after construction, the building was converted into a multiple unit dwelling and has also evolved to include commercial uses. Located in an area that contains a number of surviving nineteenth century buildings, 209-211 James Street South serves as a reminder of the James Street South Victorian streetscape, bordering the neighbourhoods of Corktown on the east and Durand on the west.

Description of Heritage Attributes
The north, west and south elevations of the main building mass and the north and south elevations of the rear extension along with the hipped roofs with dormers and gables; together with all original construction materials and all component architectural features and detailing.
CITY OF HAMILTON

NOTICE OF INTENTION TO DESIGNATE

209-211 James Street South, Hamilton

IN THE MATTER OF THE ONTARIO HERITAGE ACT and the property in the City of Hamilton known municipally as 209-211 James Street South, Hamilton

NOTICE IS HEREBY GIVEN that the City of Hamilton intends to designate this property as being a property of cultural heritage value.

Statement of Cultural Heritage Value

The 1888-89 brick row-building located at 209-211 James Street South possesses cultural heritage value due to its association with the Victorian land-development process of subdivision and speculative building in the City of Hamilton. In the capitalist urban society of the late-nineteenth century, the construction of buildings by speculative developers became increasingly common. Andrew Rutherford, an established Hamilton businessman, had the three, attached, two-storey residences built by contractor James Philips. In its composition, design and materials, the building is a representative example of High Victorian residential architecture and retains its original architectural configuration of a two-storey building with hipped roof, bays and gables. Soon after construction, the building was converted into a multiple unit dwelling and has also evolved to include commercial uses. Located in an area that contains a number of surviving nineteenth century buildings, 209-211 James Street South serves as a reminder of the James Street South Victorian streetscape, bordering the neighbourhoods of Corktown on the east and Durand on the west.

Description of Heritage Attributes

The north, west and south elevations of the main building mass and the north and south elevations of the rear extension along with the hipped roofs with dormers and gables; together with all original construction materials and all component architectural features and detailing.

The complete description of heritage attributes may be viewed in the Office of the City Clerk, 2nd Floor, City Hall, 71 Main Street West, during regular business hours.

Any person may, within 30 days after the date of publication of this Notice, serve written notice of his or her objection to the proposed designation together with a statement for the objection and all relevant facts.

Dated at Hamilton, this ______ day of ______, 2007.

K. Christenson
City Clerk
Hamilton, Ontario
CULTURAL HERITAGE ASSESSMENT REPORT

209-211 James Street South, Hamilton

City of Hamilton

Prepared by Sharon Vattay, Cultural Heritage Planner
Community Planning and Design Section
(Heritage and Urban Design)
Development and Real Estate Division
Planning and Economic Development Department

for the City of Hamilton LACAC
(Municipal Heritage Committee)

December 2006
CULTURAL HERITAGE ASSESSMENT REPORT: A READER’S GUIDE

This cultural heritage assessment report is prepared as part of a standard process that assists in determining the cultural heritage value of properties and their prospective merit for designation under the Ontario Heritage Act.

This report is divided into eight sections.

Section 1 comprises an introduction.

Section 2, Property Location, briefly describes the physical location, legal description and dimensions of the property.

Section 3, Physiographic Context, contains a description of the physiographic region in which the subject property is located.

Section 4, Settlement Context, contains a description of the broad historical development of the settlement in which the subject property is located as well as the development of the subject property itself. A range of secondary sources such as local histories and a variety of historical and topographical maps are used to describe settlement history the subject property’s key heritage characteristics. Primary sources such as oral histories are sometimes used.

Section 5, Property Description, describes the subject property’s key heritage characteristics that provide the base information to be used in Section 6.

Section 6, Cultural Heritage Evaluation, comprises a detailed evaluation of the subject property using the three sets of evaluation criteria: archaeology; built heritage; and, cultural heritage landscapes.

Section 7, Cultural Heritage Value: Conclusions and Recommendations, comprises a brief summary of the Cultural Heritage Evaluation and provides a list of those criteria that have been satisfied in determining cultural heritage value. It also contains a recommendation as to whether or not the subject property should be designated under the Ontario Heritage Act.

Section 8, Bibliography, comprises a list of sources used in the compilation of the report.
CULTURAL HERITAGE ASSESSMENT REPORT

209-211 James Street South, Hamilton

City of Hamilton

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1.0 INTRODUCTION

This cultural heritage assessment examines the heritage attributes of the building located on the south-east corner of James Street South and Forest Avenue. The property comprises three separate structures, including a two-storey brick detached building at 14 Forest Avenue; a three-storey brick apartment building at 8 Forest Avenue; and a two and one-half storey brick row building at 209-211 James Street South and 4 Forest Avenue. **This report assesses only that building at 209-211 James Street South and 4 Forest Avenue, hereafter referred to as 209-211 James Street South.** The building is included on the City of Hamilton's *Inventory of Buildings of Architectural and/or Historical Interest*, as are the two buildings, numbers 8 and 14, on Forest Avenue.

The property has been evaluated according to a set of criteria, which was endorsed by the City of Hamilton Municipal Heritage Committee on June 19, 2003, and is used to identify the cultural heritage values of a property and to assess their significance. This evaluation assists in determining a property’s merit for designation under the *Ontario Heritage Act, R.S.O. 1990, c. 0.18.* The property has also been evaluated in compliance with *Ontario Heritage Act, Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest.*

2.0 PROPERTY LOCATION

The subject property is located on the east side of James Street South, on the south corner of Forest Avenue (refer to Location Map attached as Appendix C-1, Figure 1). The property has a lot frontage on James Street South of 20.96 metres (68.79 feet) and a lot depth of 43.50 metres (142.74 feet), for a total lot area of 0.089 hectares (0.22 acres).¹

3.0 PHYSIOGRAPHIC CONTEXT

The subject property is located within the physiographic region known as the Iroquois Plain, the lowland bordering Lake Ontario which extends around the western end of Lake Ontario, from the Niagara River to the Trent River—the earliest and most densely inhabited area in Ontario.² The flat Iroquois Plain easily accommodated land transportation routes and was thus a prime area for historical development. The Lake Iroquois Beach rises above the landward edge of the Plain, forming a prominent bluff through downtown Hamilton.³ The subject property is located on this ridge near its southern limits, as it approaches the Niagara Escarpment.

¹ City of Hamilton GISNet, Municipal property assessment rolls (as accessed in August 2006).


4.0 SETTLEMENT CONTEXT

First Nation Settlement

With its favourable physiographic setting and ameliorating climate, the Iroquois Plain, and particularly the Iroquois Beach, has attracted human settlement for approximately 12,000 years. Prehistoric Native settlement of this area occurs early with Paleo-Indian and Early Archaic Cultures (12,000-7,000 BP). Middle and Late Archaic (7,000-3,000 BP) population sizes increased, more substantially in the following Woodland period (3,000-500 BP), typified by large Native villages interspersed with seasonal cabin and hunting sites.\(^4\)

The intensity of the prehistoric occupation is represented by the density of archaeology in the immediate locale. There are four registered archaeological sites within three kilometres of the subject property, encompassing small campsites through to large villages, and spanning Early Paleo-Indian to late-Woodland Neutral and Iroquoian cultures, in addition to historic Euro-Canadian occupations.\(^5\)

The Iroquois Beach forms a narrow gravel ridge\(^6\), the first high ground through the swamps that pre-dated the Hamilton settlement, and served as an east-west Mississauga land route\(^7\) around the Head-of-the-Lake. The route was adapted and used as an improved track and later road by early Euro-Canadian settlers.\(^8\) Most registered archaeological sites were identified in archaeological assessments of nearby land-developments or research projects. Additional unregistered sites are present in areas not formally archaeologically assessed.\(^9\) It is likely that sites in the immediate vicinity of the subject property, associated with the Native trail and early James Street, were removed without being recorded during the historical settlement and modern redevelopment of this area within the City of Hamilton.

Euro-Canadian Settlement

The City of Hamilton

The first Euro-Canadian settlers reached the Head-of-the-Lake, the future site of Hamilton, in 1786. The area, named Barton Township by Lieutenant-Governor


\(^5\) Ontario Ministry of Culture. Ontario Archaeological Sites Database.


\(^8\) Manson (2002): 35.

\(^9\) Ontario Ministry of Culture. Ontario Archaeological Sites Database.
John Graves Simcoe, was declared the judicial centre of the District of Gore in 1816, due in large part to the efforts of George Hamilton, a prominent land-owner in the township.  

Hamilton was incorporated as a Town by the Legislative Council of Upper Canada in 1833. The boundaries of the new town were Wellington Street on the east, Queen on the west, Burlington Bay on the north, and present day Aberdeen Avenue on the south. With the opening of the Burlington Canal, Hamilton embarked upon an era of prosperity and expansion. Within a decade, the town of Hamilton had experienced a population explosion and became the “largest and most important centre south and west of Toronto.” With the prosperity and expansion of the 1840s, Hamilton was in the position for incorporation as a city in 1846, and, as with many towns and cities in Ontario, continued population and commercial growth was fuelled by the arrival of the railway—the Great Western Railway in 1852 and the Hamilton & Lake Erie Railroad in 1872.

After suffering through a brief depression in the 1860s, Hamilton again experienced rapid growth during the late Victorian era, accelerating to an unprecedented pace during the industrial expansion of the 1880s and 1890s. As more industries were established, offering permanent employment, there was a rapid increase in population and thus, correspondingly, a great demand for housing. Neighbourhood after neigboured was established in the late nineteenth and early twentieth centuries, and within existing neighbourhoods, in-fill construction was undertaken on previously unused lots—as is the case with the subject building at 209-211 James Street South.

Corktown and Durand Neighbourhoods

Barton Township was laid out in a formal grid of lots and concessions by land surveyor Augustus Jones in 1791. The Crown awarded the first lots as grants to United Empire Loyalist settlers, with most of these properties disposed of to incoming settlers between 1796 and 1802.

The subject property at 209-211 James Street South is located on a small portion of what was originally Concession 3, Lot 14—that land between James and Mary Streets and between Main Street and Concession Road. One of the most

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important lots in the original Barton Township survey, part of this land became the location of the townsite of Hamilton, accommodating the Gore District Courthouse.\textsuperscript{14} The Crown Patent for this lot was originally awarded in 1802 to Loyalist, Daniel Springer.\textsuperscript{15} Shortly after, probably in 1806, Springer sold the land to James Durand who, in turn, sold it to Captain George Hamilton.\textsuperscript{16} Both Durand and Hamilton were instrumental in establishing the Gore District and in having the Hamilton townsite designated as the district centre in 1816. Court House Square was established on the northern boundary of Lot 14, on Main Street, between Hughson and John Streets.

Other than George Hamilton’s stone dwelling at the head of John Street, visible on the 1842 Plan of the town of Hamilton, District of Gore, there was very little development on the southern portion of Lot 14 in the first half of the nineteenth century. (Appendix C-1, Figure 2 – Map of 1842) Greater development occurred in the section in and around Court House Square and the Corktown neighbourhood, to the east of James Street. From an early date this was subdivided into lots for low income houses resulting in a population dominated by Irish Catholics.\textsuperscript{17}

By the mid-nineteenth century, George Hamilton had had his land on the east side of James Street South surveyed, laying out east-west streets such as Hannah (later Charlton), Catherina (later Young), and Maria (later Forest). (Appendix C-1, Figure 3 – Map of 1850-51) Building lots were arranged on the blocks along James Street—lot 200, at the corner of Maria (later Forest) Street, being the future location of the subject property. Throughout the 1870s and 1880s, construction of middle to upper class housing was undertaken on both sides of James Street leading southward towards the estates, which had earlier developed on higher land at the base of the mountain. By the close of the nineteenth century, James Street South was lined with an eclectic array of substantial Victorian houses, among them, the building at 209-211 James Street South. (Appendix C-1, Figure 4 – Bird’s Eye View of 1893 and Postcard view of James Street)

\textit{209-211 James Street South Site}

It was Nathaniel Hughson, the property owner of Concession 2, Lot 14, who named


\textsuperscript{17} Gentilcore (1987): 108.
James Street after his son. The street became one of the most important thoroughfares of the city in the nineteenth century. While James Street North, running from Burlington Bay to King Street, was dedicated to commercial and institutional uses, with a major commercial concentration at the Gore, the section of James Street, south of Main Street was primarily residential—the T.H. & B. railway station at James and Hunter (1895) and the churches at James and Jackson Streets being the few exceptions. James Street South became the dividing line of two residential neighbourhoods—Durand on the west and Corktown on the east.

During the course of George Hamilton’s Survey, three building lots along James Street South, between Forest (then Maria) and Charlton (then Hannah) were laid out—lot 200 being the future location of the subject building. Three additional building lots, fronting on Hughson, completed the plan of the block (refer to Appendix C-1, Figure 3). By 1876 a number of buildings had been erected on the block, primarily on Hughson and Charlton. (Appendix C-1, Figure 5 – Bird’s Eye View of 1876) The only building on the James Street frontage at that early date was a stone building at 225 James Street South (on lot 218) at the corner of Charlton—a building that dates to 1854-55 and, although altered, still stands today. (Appendix C-1, Figure 6) This was clearly a desirable residential development area in Hamilton. Assessment rolls show that even prior to the 1880s the stretch of James Street, south of Charlton, had buildings of substantial value, owned and occupied by professional, middle to upper class residents.

Around 1870, lot 200 came into the ownership of Robert Lovatt, a farmer in Ancaster who allowed it to remain undeveloped into the 1880s. The value of the vacant lot, $1,000 in 1883, rose to $1,800 by 1888-89, at which time Lovatt sold the property to Andrew Rutherford, who, with the help of builder/contractor, James Philips, erected a row of three Victorian dwellings as a speculative venture—numbers 207, 209, and 211, referred to today as 209-211 James Street South. Rutherford, of Garland and Rutherford, druggists, 7-9 King Street East, owned and occupied a house on the west side of James Street South, just south of Charlton at 244 James Street South, and therefore the subject building was clearly erected for speculative purposes rather than for his own use.

As a money-making venture, speculative housing developments first became common in Ontario in the nineteenth century. For this reason, many examples of vernacular housing from the later nineteenth century were typically not built by the owner-occupier, rather, in a capitalist urban society, the construction of many


19 As a reflection of this fact, while some properties were valued at $2,500 and $3,500, others totaled $15,000 to $17,000. Occupants were merchants, brokers or gentlemen. As an example of the occupants, the long time resident of 225 James Street South, Sir Aemiluis Irving, was the first President of the Hamilton Law Association, a member of the Law Society of Upper Canada, and a member of the House of Commons.

20 Assessment Rolls, 1883-1890.
houses fell to builders and speculative developers. Indeed, many different people were involved in the various stages of urban property development. Much of the land-development process in the nineteenth century was decentralized, uncoordinated and unregulated.\textsuperscript{21} This process is the reason why many cross streets do not meet across former property boundaries—for example, Forest Street (formerly Maria) does not continue west across James Street, as the blocks to the west that Peter Hamilton laid out on Concession 3, Lot 15, differed slightly in configuration from the ones that George Hamilton laid out on the adjacent Lot 14.

This building thus serves as a reminder of the Victorian land-development process of subdivision and speculative building. The unit at 211 was completed first and occupied by 1890, while units 209 and 207 were occupied a year later. Either during construction, or upon completion, Rutherford sold the corner building (unit 207) to Charles Mason, a clerk. As a corner property, the building at 207 was valued at approximately $1000 more than the two neighbouring units at 209 and 211, thus the sale was profitable for Rutherford. Rutherford then leased the two remaining buildings out—the first occupant of 209 was Julia Dowding and at 211, the merchant, John Moore.

The buildings were converted into several apartment units early in the twentieth century, along with commercial uses on the ground floor.\textsuperscript{22} An entrance door to the apartment units was inserted into the bay of the north façade—the name “The Forest” was carved in wood in the pediment above the door.

In 1913 the rear portion of lot 200 was filled in with a three-storey brick apartment building (8 Forest Avenue—the “Rideau”) which now closely abuts the subject building.

\textbf{Contemporary Context}

The proximity of James Street South to the downtown core of the City of Hamilton prompted commercial and other uses to spread south along the residential portions of James Street around the turn of the century. This commercial development is seen in both the conversion of older residential buildings and in the construction of new commercial or commercial/residential structures. For example, the stone terrace at 142-160 James Street South, built between 1854 and 1860 for residential purposes, was converted to include medical practices in the first decades of the twentieth century. By 1951, the whole terrace was zoned commercial.


\textsuperscript{22} The conversion took place during the first two decades of the twentieth century. The 1911 Fire Insurance Plan denotes “Forest Apartments.” The City Directories list 5 separate occupants in the Forest Apartments and by 1920 the list includes 9 occupants—this suggests that unit 207 was converted first, followed by the conversion of the neighbouring 209. Later still, 211 was also converted to residential units.
The subject building at 209-211 James Street South followed in this trend of conversion and was adapted to include a commercial component in the 1970s. This resulted in a substantial physical change to the building, particularly due to the addition of a street related commercial front (as discussed below). The basement level has served as a restaurant, while the first floor of the southerly unit (211) also serves a commercial function.\textsuperscript{23}

The block directly to the north of the subject property, between Young and Forest Streets, contains six buildings—all former single family, two-storey brick houses (183-201 James Street South) dating from between 1887 and 1909. All have been converted to include commercial/office uses along with a residential component. All of these buildings are currently listed on the City of Hamilton’s \textit{Inventory of Buildings of Architectural and/or Historical Significance}. With their consistent scale, set-back and materials, the buildings on this block today comprise the best surviving nineteenth century streetscape on the east side of James Street South. (Appendix C-1, Figure 7)

Across the street from the subject building is a block that was greatly altered in the 1970s and 1980s with the demolition of two nineteenth century houses, replaced by the large commercial/residential high-rise building at the corner of Robinson and James Streets. The two remaining heritage buildings, 212 James Street South (1882) and 224 James Street South (1889), are both listed on the City of Hamilton’s \textit{Inventory of Buildings of Architectural and/or Historical Significance}. (Appendix C-1, Figure 8)

Due to the demolition of the building at 215 James Street South in the 1970s, there is currently an opening in the streetscape directly south of the subject building. Currently, 209-211 James Street South acts as the northern anchor of the block between Forest and Charlton, the southern anchor being one of the oldest buildings in the area—225 James Street South (as referenced above).

Behind the subject building are two other buildings—8 Forest Avenue, the Rideau Apartments, dating from 1913, and 14 Forest Avenue, a two-storey brick house dating 1872. (Appendix C-1, Figure 9) The remainder of the block bounded by James, Forest, Hughson and Charlton has been cleared of historic structures and is the location of a large surface parking lot and, facing onto Charlton, a multi-storey modern office building.

Despite the loss of heritage resources on the block bounded by James, Forest, Hughson and Charlton, and specifically along James Street South, the immediate contemporary context of the subject building continues to reveal the nineteenth century residential development and the entire streetscape continues to serve as a catalogue of architectural examples from that era.

\textsuperscript{23} At the time of writing, in 2006, the southern most building was occupied by a flower shop on the ground floor.
5.0 PROPERTY DESCRIPTION

The building located at 209-211 James Street South is a two and one-half storey brick row building dating 1888-89. (Appendix C-1, Figure 10) This building is characteristic of the High Victorian form and style of architecture, specifically the bay and gable configuration, popular in the late-nineteenth century.\textsuperscript{24} The building was likely designed from pattern books, the builder being James Philips.\textsuperscript{25}

Building Evolution

The building has undergone a number of major and minor alterations, both interior and exterior, over the course of its 118 year history. The most notable alteration is the one-storey addition along the fronts of the northern two units (originally 207 and 209). This addition was constructed in 1971 to provide a commercial front for the restaurant operating out of the lower levels of the buildings. The round-head, glazed white brick arches, with ornamental keystones, are now partially skim-coated and scored to give the impression of stone blocks. These arches create the entrance to the restaurant—one arch on the north accommodates the entrance door; four of the arches facing west have glazed openings; and, formerly a fifth arch provided access to the entrance door to unit 209. This fifth arch was removed in the summer of 2006.

Two storey wood porches, which no longer exist, would have originally provided the access to the elevated front entrances—one porch serving the doors of 209 and 211 and one porch for 207. Evidence of these porches can be seen in a photograph from the 1980s. (Appendix C-1, Figure 11)

The windows on all elevations of the building have been replaced with modern inoperable glazed units. The original units were double-hung wood-frame units. (refer to Appendix C-1, Figure 11) Some windows have been altered to become door openings and currently a few are boarded over. The first floor windows of units 207 and 209 have been substantially altered due to the construction of the 1970s commercial façade. Others, like the dormer on the north façade on the rear wing, have been altered several times—originally a window, replaced by a door in the 1970s or 1980s, and since reinstated as a window. The first floor windows on the south facade have been shortened, with evidence of brick in, while the paired windows on the second floor of the bay on this elevation have been replaced with doors.

The red brick, on the front/west and side/north facades, was painted at some point and has since been sandblasted (most likely affecting the integrity of the red brick).


\textsuperscript{25} This is surmised due to his name being recorded in the year of construction in the Assessment Rolls.
The decorative bargeboard of the gable ends has recently been replicated on unit 211, partially replicated on unit 207, while that on 209 may be the original. Numerous modern fire escapes and balconies have been added, the metal railings of those escapes on the front facade now in place of where formerly double-height wooden porches would have provided access. The brick chimney stacks extending above the roofline have been shortened from their original height.

The doors have all been replaced. One of the original, double wood doors, with glazed transom light above, existed as the entrance to unit 209 until as recently as May 2006—these have been removed and a new modern glass and aluminium unit installed. (Appendix C-1, Figure 12)

The entrance door and pediment on the north façade, at the base of the central bay, was a later addition—when the building was transformed into apartments. This is also evidenced by the slightly different colour of brick that fills the space above the entrance pediment, suggesting a different building date. (Appendix C-1, Figure 13)

The original scalloped shingle roof has been replaced with regular asphalt shingles. On unit 209 the stone stairs have been covered with wood decking.

The interiors have been reconfigured many times in order to accommodate the changing functions and the integration of residential units in what were formerly single family dwellings.

**Building Description**

The building has a complex and varied plan resulting in asymmetrical facades and a broken and varied roofline. The red brick buildings with stone foundation are finished with a hipped, asphalt-shingled roof with a number of gables along with dormer windows. A lower hipped roof covers the rear two-storey wing which is slightly narrower than the front portion of the building. (Appendix C-1, Figure 14 – Fire Insurance plan 1911 and Figure 15) Chimneys and brick party walls also add to the visual interest of the roofline. There is a prominent overhanging eaves with wood brackets, facia and soffit, that extends around the majority of the building, but does not extend to the rear wing. Porches, serving the elevated entrance ways, set on the high basement, have been removed and replaced in part with metal fire escapes. The window and door openings are primarily flat topped.

As this was built as speculative housing, in order to maximize land use, the buildings were constructed with no setback from the sidewalk—this can be compared to the houses in the next block north which are all set back with lawns. Narrow-front row housing maximized the use of land and allowed for greater economic gains from the lands for the speculative venture.

- West/Front Elevation
The main façade of the building, facing James Street South, is defined by the elaborate, asymmetrical composition dominated by three separate two-and one-half storey projecting gabled bays, one for each unit, each of varying sizes and forms (refer to Appendix C-1, Figure 10). The units are divided by brick party walls which have a decorative carved stone corbel projecting from the eaves. The raised stone foundation, visible on unit 211 and on the Forest Street and north elevations, provides elevated entrance doors accessed by stone stairs.

On unit 211, the projecting, angular bay is located to the right of the entrance door—a modern metal and glass door replacing the original wood doors. All of the windows, including that in the gable end, have flat stone sills and lintels. The stone lintels on the first and second storey create a continuous stringcourse around the bay, while the stone sill of the attic window forms part of a stringcourse at that level. Decorative brick panels ornament the brick wall between the first and second floors, and again between the second and attic level. The decorative gingerbread of the gable has recently been replaced and wood springing brackets supports the eaves.

Unit 209 has a projecting bay to the left of the entrance door—here the bay is square sided as opposed to the angled bay of 211. The door to 209 is accessed up stone stairs. The door is a modern unit, replacing the original wood, double doors with transom light above. Paired windows on the front of the bay and windows into the sides of the bay, along with the second floor window, located above the door, have flat stone sills and lintels. A dormer window pierces the roof to the right of the bay. Decorative brick panels are set between the first and second floor windows in the bay, while decorative brick corbels run under the two windows in the gable end. The gable is decorated with a wood gingerbread trim.

Unit 207 has a projecting bay with angled sides to the left of the original entrance door—now obscured by the modern extension. A mirror image of the opposite end (unit 211) in terms of materials and detailing, the only difference being the dormer window beside the gable end.

- North/Side Elevation

Facing Forest Avenue, the side elevation is secondary only to the James Street South façade, and has similar detailing to that on the front. (refer to Appendix C-1, Figure 15) Asymmetrical in form, a projecting square bay divides the primary portion of the building into two equal portions, while the rear wing, set back from the plane of the main façade, extends the building form to the east. The configuration and detailing of the fenestration on the main portion of this side of the building is similar to the front elevation with paired windows in the bay (both on the second and attic level). Four single windows to the left of the bay are divided by a projecting chimney. All of these windows, along with the basement windows, have stone lintels and sills. The lintels and sills of the bay windows run continuously, forming a short stringcourse. Decorative checkerboard patterns of brick panels are located underneath the second storey and attic windows. The gable end of the bay
has decorative, wood gingerbread trim. The wall to the right of the projecting bay is devoid of windows and is instead relieved by a projecting brick chimney stack. The stone capping details on the stepped chimney stack, similar to that on the south elevation, is covered by the modern signage. Two chimneys break the roofline on either side of dormer windows.

The configuration and detailing of the fenestration on the rear portion of the north façade is slightly different, with four regularly placed windows with stone sills and brick soldier courses forming a slightly arched lintel. A dormer window is centrally located on the rear wing.

An entrance porch with panelled wood surround and pediment, with the words “The Forest”, provides access to the apartments through the base of the bay.

- South/Side Elevation

The south elevation, facing onto a parking lot, was originally a mirror image of the north elevation with minor variances, however, various alterations have subsequently taken place, as noted above in the section on Building Evolution. (Appendix C-1, Figure 16) Whereas the north elevation has an entrance door at the base of the bay, the original two-window configuration on the first floor remains on the south elevation, albeit these windows have been shortened. The window in the gable at the attic level is a single window as compared to the double window on the north elevation. As on the north façade, the chimney towards the front of the building is detailed with recessed panels and stone capping. Two chimneys accent the hipped roof, however, unlike the north elevation, there are no dormer windows on the main portion of the building. The decorative gingerbread has been removed from the gable.

The rear wing on this elevation has one boarded up window, one window that has been replaced with a door, along with two other windows. Modern metal fire-escapes lead to the second floor and to the attic dormer.

- East/Rear Elevation

The rear façade is barely visible due to the subsequent erection of 8 Forest Avenue in 1913. The east facade has very little detailing with only stone sills but soldier brick coursing for the slightly arched window tops. The decorative bracketed wooden cornice does not continue around this rear section.

6.0 CULTURAL HERITAGE EVALUATION

Since amendment in 2002, the Ontario Heritage Act now enables municipalities to designate property of cultural heritage value or merit that is real property including buildings and structures.
On June 19, 2003, the City of Hamilton Municipal Heritage Committee endorsed a set of evaluation criteria for use in assessing cultural heritage resources. The application of these criteria assists in determining the cultural heritage value of a property and its prospective merit for designation under the Ontario Heritage Act. The subject property has been evaluated against these criteria (Archaeology, Built Heritage, and Cultural Heritage Landscapes) as follows:

### 6.1 ARCHAEOLOGY

Identified or potential archaeological resources can be considered as values meriting inclusion into the reasons for designation of a property. A set of twelve criteria is used to evaluate an archaeological site or measure archaeological potential to determine what attributes, if any, warrant designation under Part IV of the Ontario Heritage Act.

The first eleven criteria for designation of an archaeological site are predicated on the presence of an archaeological site. In the case of 209-211 James Street South, there are no registered or reported archaeological sites located on the subject property. As a result, only the Archaeological Potential criterion applies in this assessment.

<table>
<thead>
<tr>
<th>Cultural Definition: N/A</th>
<th>Site Setting: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporal Integrity: N/A</td>
<td>Site Socio-political Value: N/A</td>
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<tr>
<td>Site Size: N/A</td>
<td>Site Uniqueness: N/A</td>
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<tr>
<td>Site Type: N/A</td>
<td>Site Rarity: N/A</td>
</tr>
<tr>
<td>Site Integrity: N/A</td>
<td>Site Human Remains: N/A</td>
</tr>
<tr>
<td>Historical Association: N/A</td>
<td>Archaeological Potential: Applicable</td>
</tr>
</tbody>
</table>

**Archaeological Potential**

The subject property comprises a two and one-half storey building, situated in an urban context first developed in the mid-nineteenth century. Based on the history and intensity of development activity on the subject property, and its minimal yard area, the lot has experienced significant disturbance and therefore has minimal archaeological potential. This criterion is not satisfied.

### 6.2 BUILT HERITAGE

A set of twelve criteria is used to identify and assess the built heritage values of property. All twelve of the criteria were applicable in the case of 209-211 James Street South and six were satisfied and two were partially satisfied.

<table>
<thead>
<tr>
<th>Historical Associations</th>
<th>Integrity</th>
</tr>
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<tbody>
<tr>
<td>Thematic: Applicable</td>
<td>Location Integrity: Applicable</td>
</tr>
<tr>
<td>Event: Applicable</td>
<td>Built Integrity: Applicable</td>
</tr>
<tr>
<td>Person and/or Group: Applicable</td>
<td>Environmental Context</td>
</tr>
</tbody>
</table>
ARCHITECTURE AND DESIGN

Architectural Merit

The subject building, in its composition, design and materials, is a representative example of High Victorian residential architecture dating to 1888-1889. Accordingly, this criterion has been satisfied.

Functional Merit

This building continues to serve a residential function, although altered from the original single family residence to a multi-unit residence with a commercial component added. Therefore, this criterion is partially satisfied.

Designer

The building is known to be constructed by the contractor James Philips. Accordingly, this criterion has been satisfied.

HISTORICAL ASSOCIATIONS

Thematic

The subject property is associated with the residential developments of the City of Hamilton that were a direct result of the economic and industrial prosperity at the end of the late nineteenth and early twentieth centuries. This building also serves as a reminder of the Victorian land-development process of subdivision and speculative building. Accordingly, this criterion has been satisfied.

Event

Research to date reveals that there are no significant events associated with the subject property.

Person and/or Group

The property is not associated with a significant person or group.

ARCHITECTURE AND DESIGN

Architectural Merit

The subject building, in its composition, design and materials, is a representative example of High Victorian residential architecture dating to 1888-1889. Accordingly, this criterion has been satisfied.

Functional Merit

This building continues to serve a residential function, although altered from the original single family residence to a multi-unit residence with a commercial component added. Therefore, this criterion is partially satisfied.

Designer

The building is known to be constructed by the contractor James Philips. Accordingly, this criterion has been satisfied.

Integrity

Location Integrity

The subject building remains in its original location on James Street South. Accordingly, this criterion has been satisfied.
Built Integrity

The subject building retains its original architectural configuration of the two-storey brick building with hipped roof and gables. However, changes to the building are numerous and include replacement windows and doors throughout, new roofing, sandblasting of the brick material, the application of an arcade to the front façade, removal of the original wooden porches and balconies, and replacement eaves and soffits. The interior has been greatly altered. Therefore, this criterion is not satisfied.

Environmental Context

Landmark

While the building does not stand as a landmark in the City of Hamilton, due to its location on a rise on James Street South, and its recognizable commercial use, it does serve as somewhat of a landmark in its context as part of the James Street streetscape. Therefore, this criterion is partially satisfied.

Character

The subject property is located in an area whose historic character has been substantially altered since the building’s construction. However, the block directly to the north has a continuous group of nineteenth century buildings. And, the building stands as a part of a historic unit which comprises the two buildings on Forest Avenue, numbers 8 and 14, and the oldest building on the block, 225 James Street South at Charlton. Accordingly, this criterion has been satisfied.

Setting

The setting of the subject property has been altered from the original context.

SOCIAL VALUE

Public Perception

The subject property was included in the former City of Hamilton’s Inventory of Buildings of Historical and/or Architectural Interest, and has been a matter of public record since 1983. Therefore, this criterion has been satisfied.

6.3 CULTURAL HERITAGE LANDSCAPES

Cultural Heritage Landscapes can be considered as values meriting inclusion into the reasons for designation of property. A set of nine criteria is used to determine which cultural heritage landscape values and attributes, warrant designation under Part IV of the Ontario Heritage Act as a Cultural Heritage Landscape.

The application of criteria for designation of a property as a Cultural Heritage Landscape depends upon the property’s characteristics. Types of cultural heritage landscapes that have been identified for prospective inventory and evaluation work are as follows:
The subject property at 209-211 James Street South was historically, surrounded by residential buildings of similar age and style, forming a residential neighbourhood. However, in the assessment, only the subject building and its immediate lot are being evaluated for its cultural heritage value. Accordingly, the subject property is not considered to be a cultural heritage landscape for the purposes of this assessment and evaluation.

7.0 CULTURAL HERITAGE VALUE: CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusions

The subject property satisfies 6 of the 12 criteria, and partially satisfies 2 of the 12 criteria, pertaining to built heritage:

**Thematic:** The subject property is associated with the residential/suburban developments of the City of Hamilton which were a direct result of the economic/industrial prosperity at the end of the late nineteenth and early twentieth centuries. This building also serves as a reminder of the Victorian land-development process of subdivision and speculative building.

**Architectural Merit:** The subject building, in its composition, design and materials, is a representative example of High Victorian residential architecture.

**Functional Merit:** This building was built to serve a residential function and continues today to serve a form of residential use, thus partially satisfying this criterion.

**Designer:** The building is known to be constructed by the contractor James Philips.

**Location Integrity:** The subject building remains in its original location.

**Landmark:** Due to its location on a rise on James Street South, and its recognizable commercial use, it does serve as somewhat of a landmark in its
context as part of the James Street streetscape, thus partially satisfying this criterion.

**Character:** The subject property is located in an area that retains its historic character. The building thus contributes to the overall character of the streetscape.

**Public Perception:** The subject property was included in the former City of Hamilton’s *Inventory of Buildings of Historical and/or Architectural Interest*, and has been a matter of public record since 1983.

### 7.2 Compliance with Ontario Heritage Act, Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest

According to Subsection 1 (2) of Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest, a property may be designated under section 29 of the Act if it meets one or more of the following criteria:

1. The property has design value or physical value because it,
   i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
   ii. displays a high degree of craftsmanship or artistic merit, or
   iii. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it,
   i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
   ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
   iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,
   i. is important in defining, maintaining or supporting the character of an area,
   ii. is physically, functionally, visually or historically linked to its surroundings, or
   iii. is a landmark.

The subject property has design value because it is a representative example of an architectural style; it has historical value because it has the potential to yield information that contributes to an understanding of a community; and, it has contextual value because it is important in defining, maintaining or supporting the character of the area.
7.3 **Recommendation**

The building located at 209-211 James Street South, Hamilton, satisfies the City of Hamilton evaluation criteria for properties of cultural heritage value. The Ministry criteria for determining cultural heritage value or interest under the *Ontario Heritage Act* are also satisfied and thus this property at 209-211 James Street South is recommended for designation.

8.0 **BIBLIOGRAPHY**

**Publications**


**Maps**

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Plan of the Town of Hamilton, District of Gore, 1842

Marcus Smith, Map of the City of Hamilton in the County of Wentworth, 1850

*Illustrated Historical Atlas of the County of Wentworth* Ontario, 1875

Bird’s Eye View of the City of Hamilton, 1876

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Fire Insurance Plan of Hamilton, Ontario, 1911

**Miscellaneous**

City of Hamilton GISNet, Municipal property assessment rolls (as assessed August 2006)

City of Hamilton, Assessment Rolls, 1883-1893

City of Hamilton Directories, 1871-1925


Ontario Ministry of Culture. *Ontario Archaeological Sites Database.*

http://www.postcardsofhamilton.com
Figure 1: Location Map for 209-211 James Street South, Hamilton
Figure 2: Map of 1842 showing future location of the subject property at the corner of James Street South and Maria (later Forest) streets
Figure 3 – Map of the City of Hamilton in the County of Wentworth, 1850-51 - Detail showing the building lots on the block bounded by James, Maria (Forest), Hughson and Hannah (Charlton). Lot 200 is the location of the subject property.
Figure 4a) – Bird’s Eye View of the City of Hamilton, 1893 (Detail showing location of subject property)

Figure 4b) – Postcard of James Street South looking north from Markland (www.postcardsofhamilton.com)
Figure 5 – Bird’s Eye View, 1876 (Detail showing block bounded by James, Maria (Forest), Hughson and Hannah (Charlton))

Figure 6: 225 James Street South, 1854-55 (2006)
Figure 7 – View of block directly north of the subject property (north of Forest looking towards Young Street)

Figure 8 – View of block directly across the street (west) of the subject property
Figure 9 – 14 Forest Avenue (1872) and 8 Forest Avenue (1913) (2006)
Figure 10 – 209-211 James Street South, West/Front elevation (2006)

Figure 11 – 209-211 James Street South, West/Front elevation (c1980s)
Figure 12 – Set of wood doors (west façade) prior to removal and replacement doors (2006)

Figure 13 – Entrance door on the north façade (2006)
Figure 14 - Goad’s Fire Insurance Plan of Hamilton Ontario, 1911 (Detail of the property at 209-211 James Street South)
Figure 15 – 209-211 James Street South, north façade (2006)

Figure 16 – 209-211 James Street South, south façade (2006)