SUBJECT: Recommendation to Designate 46-52 James Street North, Hamilton, Under Part IV of the Ontario Heritage Act (Ward 2) (PED08159)

RECOMMENDATION:

(a) That the designation of 46-52 James Street North, 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 Heritage Attributes, attached as Appendix “A” to Report PED08159, be approved.

(c) That the City Solicitor be directed to take appropriate action to designate 46-52 James Street North, under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix “B” to Report PED08159.

EXECUTIVE SUMMARY:

At its meeting of May 14, 2008, Council approved the recommendation from Committee of the Whole of May 12, 2008, directing the Planning and Economic Development Department and the City’s Municipal Heritage Committee to expedite a report regarding a Designating By-law under the Ontario Heritage Act for the significant heritage attributes of 46-52 James Street North (William Thomas Building) for consideration by Council (CM08017). This report has been completed and the property has been
assessed using both the City of Hamilton Heritage Evaluation Criteria and the Criteria for Determining Cultural Heritage Value or Interest, as defined in Ontario Regulation 9/06 to the Ontario Heritage Act.

It has been determined that the four-storey building, built 1855-56, possesses cultural heritage value due not only to its association with the growth and commercial prosperity of the City of Hamilton in the nineteenth century, but also to its association with an important nineteenth-century architect, William Thomas. Thomas was considered a key figure in Canadian architecture, designing important buildings throughout Ontario, as well as in other Provinces. Thomas designed a commercial building befitting the prosperity of Hamilton in the 1850’s. In its original composition, design and materials, the building was a representative example of Renaissance Revival architecture dating to the pre-Confederation period.

While the building retains only a portion of its original architectural features, confined specifically to the three bays on the southern most section of the property, including the decorative stone window surrounds, its similarities to other extant Thomas buildings, such as Kerr’s Block on King Street East, is a testament to the work of this architect and his contribution to the pre-Confederation architectural legacy of stone construction in the City.

The building is an important element in the James Street North streetscape, which is both architecturally and historically significant for downtown Hamilton. Lined with three to four-storey commercial row buildings, the buildings on James Street North exemplify early architectural styles and often exhibit high levels of craftsmanship in both design and construction including such architectural details as cornices, decorative window trim and ornate masonry work. While at one time quite plentiful in Hamilton, this surviving example of a stone, commercial block building type at 46-52 James Street North is nowadays rare in the downtown core.

At its meeting of June 26, 2008, the Hamilton LACAC (Municipal Heritage Committee) considered this recommendation for designation, together with the Statement of Cultural Heritage Value and Description of Heritage Attributes (attached as Appendix “A”), and recommended that the designation of 46-52 James Street North, Hamilton, under Part IV of the Ontario Heritage Act, be supported.

It should also be noted that LIUNA in a letter to Mayor Eisenberger, dated June 26, 2008 (attached as Appendix “D”) commented on the potential designation being recommended in this report. The letter from Mr. J. Mancinelli states; “We will also be appealing the submission for heritage designation of the Thomas Building which will be difficult to renovate if there is a radical heritage easement on that property”.

**BACKGROUND:**

Due to the current interests in the development of the properties associated with the designated Lister Building, an analysis of the heritage significance of the property at 46-
52 James Street North, Hamilton, was undertaken, as directed by Council on May 14, 2008.

Prior to this assessment, the property had been identified as having heritage value, being listed on the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest. The building was also included on the Canadian Inventory of Historic Building. This Canadian Inventory was developed by the Federal Government in 1970, and was intended as a national heritage planning tool. The subject building was 1 of 2,000 that were listed in Hamilton.

The property at 46-52 James Street North was also included within the study area for a potential heritage district. Due to the area’s cultural heritage significance, Hamilton City Council, in 1983, passed a By-law to study James Street North, between King Street and Barton Street, as a Heritage Conservation District, pursuant to Part V of the Ontario Heritage Act. This By-law of intent served as the mandate for the Planning and Development Department, to undertake, in 1984, a study of the district and prepare a detailed plan to preserve and enhance the character of the district. The study was completed, however, the District designation was not enacted.

The property at 46-52 James Street North has since been assessed using a number of criteria and is now recommended for designation (see Statement of Cultural Heritage Value and Description of Heritage Attributes attached as Appendix “A”). The Cultural Heritage Assessment Report is attached as Appendix “C”.

**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 Appendix “C”, 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 Hamilton LACAC (Municipal Heritage 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 Regulation, a property may be designated under Section 29 of the Act if it meets one or more of the criteria. As detailed in the attached Cultural Heritage Assessment Report
The subject property at 46-52 James Street North, Hamilton, satisfies several of the criteria.

**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). Development of the “Lister Block” site is proposed and, therefore, the appropriate management of this property is warranted. 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, in staff’s opinion, non-designation is not an appropriate conservation alternative and is contrary to the Council direction of May 14, 2008. 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 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 considering the designating By-law further.

**POLICIES AFFECTING PROPOSAL:**

Official Plan policies of the former City of Hamilton support the conservation, protection and management of cultural heritage features. Designation of 46-52 James Street North, 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
SUBJECT: Recommendation to Designate 46-52 James Street North, Hamilton, Under Part IV of the Ontario Heritage Act (Ward 2) (PED08159) - Page 5 of 5

Subsection (1). Following review of the Cultural Heritage Assessment (attached as Appendix “C”), the Hamilton LACAC (Municipal Heritage Committee), at its meeting of June 26, 2008, considered this recommendation for designation, together with the Statement of Cultural Heritage Value and Description of Heritage Attributes (attached as Appendix “A”), and recommended that the designation of 46-52 James Street North, Hamilton, 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. Heritage buildings, districts and landscapes create a unique sense of place and a rooted sense of local identity and continuity.

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. Our built heritage is a non-renewable resource.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Hamilton's high-quality environmental amenities are maintained and enhanced.

Designated properties can be recycled to lead useful and economically viable lives. When buildings are rehabilitated, the projects are labour intensive, usually using local trades and materials, thus serving as ideal sources of employment. In addition, statistics show that designation maintains, if not boosts, the value of property. Heritage conservation not only makes older neighbourhoods more attractive, it also increases their desirability and value.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No
Value is created across all three bottom lines, as per comments 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 exhibits Council’s commitment to an ongoing program of heritage management.
STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE ATTRIBUTES

Statement of Cultural Heritage Value

The four-storey building, built 1855-56, located at 46-52 James Street North possesses cultural heritage value due not only to its association with the growth and commercial prosperity of the City of Hamilton in the nineteenth century, but also due to its association with an important nineteenth-century architect, William Thomas. Thomas was considered a key figure in Canadian architecture, designing important buildings throughout Ontario, as well as in other Provinces. Thomas designed a commercial building befitting the prosperity of Hamilton in the 1850’s. In its original composition, design and materials, the building was a representative example of Renaissance Revival architecture dating to the pre-Confederation period.

While the building retains only a portion of its original architectural features, confined specifically to the three bays on the southern most section of the property, including the decorative stone window surrounds, its similarities to other extant Thomas buildings, such as Kerr’s Block on King Street East, is a testament to the work of this architect and his contribution to the pre-Confederation architectural legacy of stone construction in the City.

The building is an important element in the James Street North streetscape, which is both architecturally and historically significant for downtown Hamilton. Lined with three to four-storey commercial row buildings, the buildings on James Street North exemplify early architectural styles and often exhibit high levels of craftsmanship in both design and construction including such architectural details as cornices, decorative window trim and ornate masonry work. While at one time quite plentiful in Hamilton, this surviving example of a stone, commercial block building type at 46-52 James Street North is nowadays rare in the downtown core.

Description of Heritage Attributes

The heritage attributes of 46-52 James Street North include, but are not limited to:

- The west elevation of the southern most section of the building (three bays wide) along with the flat roof; together with all original construction materials (stone and wood) and all component architectural features and detailing, including the fenestration pattern and the decorative window surrounds.

- The west elevation of the northern portion of the building along with the flat roof, including the surviving stone façade, remnant window and door openings and any other surviving architectural features or decorative elements.
CITY OF HAMILTON

NOTICE OF INTENTION TO DESIGNATE

46-52 James Street North, Hamilton

IN THE MATTER OF THE ONTARIO HERITAGE ACT and the property in the City of Hamilton known municipally as 46-52 James Street North, 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 four-storey building, built 1855-56, located at 46-52 James Street North, possesses cultural heritage value due not only to its association with the growth and commercial prosperity of the City of Hamilton in the nineteenth century, but also due to its association with an important nineteenth-century architect, William Thomas. Thomas was considered a key figure in Canadian architecture, designing important buildings throughout Ontario, as well as in other Provinces. Thomas designed a commercial building befitting the prosperity of Hamilton in the 1850’s. In its original composition, design and materials, the building was a representative example of Renaissance Revival architecture dating to the pre-Confederation period.

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- The west elevation of the northern portion of the building along with the flat roof, including the surviving stone façade, remnant window and door openings, and any other surviving architectural features or decorative elements.

The complete description of heritage attributes may be viewed in the Office of the Clerk, 77 James Street North, Suite 220, 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 [date] day of [date], 2008.

K. Christenson
Clerk
Hamilton, Ontario
CULTURAL HERITAGE ASSESSMENT REPORT

46-52 James Street North, Hamilton

City of Hamilton

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

June 2008
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 determine settlement history.

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, as well as determining compliance with Ontario Regulation 9/06. 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

46-52 James Street North, Hamilton

City of Hamilton

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1.0 INTRODUCTION

This cultural heritage assessment examines the heritage attributes of the building located at 46-52 James Street North, Hamilton. This four-storey building is included on the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest. The building is currently (2008) parcelled with the neighbouring Lister Building and the official address of the entire property is 28-50 James Street North.¹

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 building occupies an irregular parcel that is located on the east side of James Street North, between Rebecca Street and King William Street (refer to Location Map attached as Appendix C-1, Figure 1). The property has a lot frontage on James Street North of 20.8 metres (68 feet) and a lot depth of 67.4 metres (221 feet). The property also has frontage on Rebecca Street (the former location of a three-storey brick building, since demolished) of 19.5 metres (63 feet), for a total lot area of 0.180 hectares (0.44 acres).

3.0 PHYSIOGRAPHIC CONTEXT

The subject property is located within the physiographic region known as the Iroquois Plain, the lowland that extends around the western end of Lake Ontario—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.

4.0 SETTLEMENT CONTEXT

First Nation Settlement

While the Iroquois Plain has attracted human settlement for approximately 12,000 years, settlement activity associated with the First Nations in the immediate vicinity of the subject property has been superseded by the Euro-Canadian settlement and modern redevelopment of the city’s downtown core.

¹ The historical street numbering has changed over the years, and while the subject building was formerly referred to as 46-52, as properties were merged, the municipal address of 52 was dropped and came to be recorded as only 50.

Euro-Canadian Settlement

The City of Hamilton

The building at 46-52 James Street North was built in 1855-56 during a prosperous period in Hamilton’s history. While the Legislative Council of Upper Canada had incorporated Hamilton as a Town in 1833, it was during the 1840s that the town embarked upon a period of economic growth and experienced a population explosion. As a result, Hamilton became the “largest and most important centre south and west of Toronto.” Hamilton was in a position for incorporation as a city in 1846, and, as with many towns and cities in Southern Ontario, continued population and commercial growth was further fuelled by the arrival of the railway—the Great Western Railway in 1852 and the Hamilton & Lake Erie Railroad in 1872.

Lot and Concession – Concession 2, Part of Lot 14

The property containing the building at 46-52 James Street North comprises part of the original lot and concession—Concession 2, Lot 14. In 1791, prior to Barton Township being designated the judicial centre of the District of Gore, land surveyor Augustus Jones laid out the area in a formal grid of lots and concessions. The Crown awarded the first lots as grants to United Empire Loyalist settlers, with most of these properties given to incoming settlers between 1796 and 1802.

The dividing line between Lots 14 and 15 was James Street. It was Nathaniel Hughson, a later property owner of Concession 2, Lot 14, who named James Street after his son. The historical significance of James Street is undeniable. Strategically located in the centre of the original downtown core, the street originated at the docks of Burlington Bay and became one of the most important thoroughfares of the city in the nineteenth century, especially after 1835 when the street was opened southward to the mountain brow. While the section of James Street, south of Main Street, towards the base of the escarpment, was primarily residential, James Street North, running from Burlington Bay to King Street, was dedicated to commercial and institutional uses, with a major commercial

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5 Concession 2, Lot 14 was originally granted to Ralph Clinch (Clench) and then John Askin. In 1805 Askin sold the whole lot to Nathaniel Hughson. Mabel Burkholder and T. Roy Woodhouse, “Crown Patentees of Barton,” Wentworth Bygones: The Head-of-the-Lake Historical Society, 1 (1958): 35 and 305.


concentration closer to the Gore.

In 1837, Andrew Miller, a land speculator and inn-keeper, gave to the community a triangular strip of land at York and James Streets to be used in perpetuity for a market place, thus establishing Hamilton’s civic centre. Both a City Hall and a Market Building were erected at the point where the road from Toronto (York) joined the road from the waterfront (James), more or less opposite to King William Street. Spurred by the proximity to these important civic structures, many institutions located to James Street North. The Post Office (1856-58) was built on the east side of James Street North across from Merrick Street. The Bank of Upper Canada (1856) was built on the west side of James Street North at the corner of Vine Street. And the Mechanics Hall was built on the west side of James Street North, directly across from the subject property. Impressive commercial buildings filled out the streetscape and supported the economic development of the growing city. (Appendix C-1, Figure 2)

**James Street North between Rebecca to King William Street**

Through Nathaniel Hughson’s Survey, the block bounded by James Street North, Rebecca Street, Hughson Street and King William Street, was subdivided into eight building lots. Part of Lot 48 would later become the location of the subject building, and, by 1850, the entire streetscape from Rebecca to King William was built upon. (Appendix C-1, Figures 3 and 4)

A major economic upswing transformed the frontier town and its modest architecture into a regional urban centre with many more substantial edifices. The commercial row of three stone buildings at 46-52 James Street North was one of a number of early commercial buildings that changed the streetscape in the mid-1850s. Another development was that of Joseph Lister who, in 1858, built an impressive row of six stone-faced buildings running north from the corner of King William Street (#28) to about mid-block (#44). (Appendix C-1, Figure 5). Three more commercial buildings (#54-60) terminated the streetscape at the corner of Rebecca Street. These last three units adjacent to Rebecca Street were also owned by Joseph Lister and the J.E. Lister & Co., Clothiers and Furnishers, operated out of the building at the corner.

The block was redeveloped over the next 70 years beginning with the replacement of the corner building at Rebecca Street (#56-60) in 1873. By the 1870s the block bounded by James, Rebecca, Hughson and King William was completely developed with three to four-storey buildings on all four street facades, along with

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8 This Post Office Building was expanded for the Sun Life Co. in 1898 and enlarged to its present size as the Federal Building in 1920.

9 During the ten years following the incorporation of the City in 1846, the population jumped from 6,832 to 27,500—an increase of over 400%. M.J. Dear, J.J. Drake, and L.G. Reeds, ed., *Steel City: Hamilton and Region* (Toronto: University of Toronto Press, 1987): 108-109.

10 This was followed by the replacement of the building at #54 in 1912.
several out-buildings filling the interior of the block (Appendix C-1, Figure 6). This block, adjacent to the civic centre, became a densely developed conglomeration of buildings serving a multitude of purposes including retail, wholesale, residential, and office.

The most dramatic changes to the block took place in the early twentieth century. The Lister Buildings (#28-44), which were stone-faced but constructed of flammable frame, were destroyed by fire in 1923, and subsequently a new office building was erected, opening in June 1924. During the fierce blaze, the MacKay buildings were also damaged. (Appendix C-1, Figure 7) While the facades were spared destruction for the most part, the rear portions of some of the units were destroyed and had to be rebuilt, specifically those at #46 and #48.11 Others suffered only smoke and water damage.

46-52 James Street North

The building at 46-52 James Street North has had dozens of owners and occupants over the course of its 150-year history.12 The owner of the building at the time of construction (1855) was Robert MacKay (McKay), and thus the moniker MacKay Buildings was sometimes used, however the building was sold to the occupants, Best & Green Auctioneers, the following year. The majority of businesses that operated out of the building were typical commercial enterprises in a nineteenth century city including hardware, tailors, clothiers, watchmakers, tobacconist, and billiards, and while most came and went after about a decade of occupation, others, such as the Model Cloak & Suit Company and H. & F. Silk Woolen Company, were mainstays in the building for some time, staying from 1919 to 1950 and from 1934 to 1964 respectively.13 With retail uses on the lower floors, the upper floors were generally occupied by service industries such as bookkeepers, accountants, barristers and engineer, with the most notable owner/occupant being Clark’s Business College.

Clark’s Business College, 1906

Clark’s Business College, later known as Central Business College, was an important institution in Hamilton. Due to the increase in commercial enterprise at the end of the nineteenth and beginning of the twentieth centuries, a practical business education was considered a necessity. In North America, business colleges were recognized as a valuable adjunct to regular educational institutions and they thrived in cities with increasing commercial enterprises. Hamilton had several such institutions, which speaks to the importance of commerce in the city.


12 Assessment Rolls for the City of Hamilton, 1855 onward.

13 City of Hamilton Directories, 1871-1981. The Model Cloak & Suit Company was the occupant of #46 at the time of the fire.
In addition to Clark’s Business College, there was the Hamilton Business College (located at King and James Streets) and the Canada Business College, which was located on James Street North in the Arcade Building, directly across from Clark’s at 46-52 James Street North.\(^{14}\) (refer to Figure 2)

In 1905, Clark’s established themselves in Hamilton, following on their success in Buffalo, New York. (Appendix C-1, Figure 8) Described as one of the finest and best-known business colleges in the country, Clark’s held classes in bookkeeping, accounting, shorthand, business English, rapid calculation and languages.\(^{15}\) Within a year of their opening in Hamilton, the college had become the largest of its kind in Hamilton and subsequently sought substantial accommodation due to an increase in enrolment. The College took occupancy of the entire second, third and fourth floors of 46-52 James Street North, which allowed for the accommodation of 600 students. Their promotional literature referred to the classrooms and offices as being elegantly finished and furnished, with “abundant light, commodious rooms and perfect ventilation.”\(^{16}\) (Appendix C-1, Figure 9)

**Contemporary Context**

Over the years, James Street North lost its prominence and vitality primarily as a result of changes to demographics and suburban development. Urban renewal schemes of the 1960s (such as York Boulevard) dramatically altered the historical character of James Street North.

However, James Street North continues to occupy a strategic location and has the potential of being enhanced and renewed. With a two-way transportation system being reintroduced, the street once again serves as a major route to the harbour, which now is less focused on transportation and industry, and rather serves the city as a recreational area. With the exception of a few later twentieth century introductions, such as, Lloyd D. Jackson Square and the Eaton’s (later City Centre), there is a cohesiveness of size and type of building, resulting in a pedestrian friendly scale, which creates a sense of neighbourhood.

Much of the historic building stock remains although there are many instances where the original building materials and details are obscured behind a layer of modern facing and signage. Changes in architectural taste over time and in commercial advertising resulted in a substantial physical change to the subject building (as detailed below in the section on building evolution). In an effort to modernize their property, the Ontario Home Furnishings Company (then owners of the two units at 48-52 James Street North) installed a metal façade to the face of the stone building, leaving only the single unit (#46) with its original architectural

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\(^{16}\) *City of Hamilton Directory*, 1907
The blocks directly to the north and south of the subject property (between King and Wilson Streets) contain a number of low-rise commercial buildings, in varying states of preservation, dating from between 1843 to 1923. All of these buildings are currently listed on the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Significance. With their consistent scale and massing, the buildings on James Street North today comprise one of the best surviving nineteenth century streetscapes in the City.

Across the street from the subject building is a block that was greatly altered in the twentieth century with the demolition of all of the nineteenth century buildings. The introduction of the Arcade/Eaton’s Department Store in 1916-1920 was the beginning of the commercial transformation. The demolition of the James Balfour’s Hamilton City Hall in 1961 cleared the way for the urban redevelopment of Lloyd D. Jackson Square Mall, and the new “Eaton’s Centre” was built following the demolition of the 1916 terracotta department store.

Despite the loss of heritage resources in the adjoining and adjacent blocks, the immediate contemporary context of the subject building continues to serve as an excellent example of nineteenth century commercial architecture and development and the entire streetscape (even beyond the immediate block between King William and Rebecca) continues to serve as a catalogue of architectural examples from that era.

5.0 PROPERTY DESCRIPTION

The building located at 46-52 James Street North is a four-storey building erected 1855-56. (Appendix C-1, Figure 11) This building is characteristic of the Renaissance Revival style of architecture and was built to the designs of the well-known architect, William Thomas.17

William Thomas, Architect

William Thomas (1799-1860) is widely recognized as one of the founders of the Canadian architectural profession. His impressive output during his career in Canada, dating from 1843 to 1860, included over one hundred buildings and the significance of his contribution to Canadian architecture cannot be overestimated. Thomas’ buildings became the most important edifices in the towns and cities that he worked in, housing the communities’ religious, governmental, educational, commercial and cultural activities. Not only has Thomas left his mark on cities in Ontario, such as Chatham, Guelph, Hamilton, London, Niagara, Peterborough, St Catharines, Simcoe, Stratford, and Toronto, but he also designed buildings in

17 Tender Call, September 6, 1854. “William Thomas, architect. 4 Stores for Best & Green, opposite Mechanics Institute.”
Halifax, where he opened an office in 1858. 18

Thomas, who settled in the City of Toronto when he emigrated to Canada in 1843, took advantage of the economic upswing in Hamilton at mid-century and expanded his architectural practice to Hamilton in 1851. The wide-ranging commissions in Hamilton included ecclesiastical buildings such as St. Paul's Presbyterian Church (1854) and residential work such as Ballinahinch (1848-51), and Inglewood House (1852-54). Thomas was said to have been responsible for the greatest number of handsome residences in the City of Hamilton, creating “one of the most impressive residential neighbourhoods in Canada West.” 19

Along with the building at 46-52 James Street North, William Thomas’ commercial structures in Hamilton included the Bank of British North America (1847) and White’s Block (1853), both on King Street and both now demolished. 20 (Appendix C-1, Figure 12)

William Thomas was also the architect of Kerr’s Block, 18-22 King Street East, also located on the south side of the Gore. Today this building stands as one of the few remaining pre-1850 buildings on the Gore and is a good example of Hamilton’s early commercial architecture. Like the building at 46-52 James Street North, Kerr’s Block is a limestone, Renaissance-Revival building. (Appendix C-1, Figures 13a) and 13b)

**Renaissance Revival Architecture**

Thomas was a versatile architect who worked in various styles. Much of Thomas’ public and commercial work (as opposed to his ecclesiastical and residential work) exhibited an Italianate influence; indeed the Renaissance Revival Style became one of Thomas’ hallmarks.

The building at 46-52 James Street North exhibits characteristics typical of the Renaissance Revival Style of architecture. Derived from Italian Renaissance palazzo prototypes, the style was successfully adapted to commercial buildings, banks and offices. For example, the Bank of Upper Canada at James and Vine was representative of this style (Appendix C-1, Figure 14). While a more ornamented Renaissance Revival Style included the use of columns (as seen on Thomas’ Bank of British North America), the astylar version of Renaissance Revival was simpler, with the ornamentation limited to the window surrounds, cornice, and corner quoins and a sparse selection of building materials (as seen on


20 White’s Block stood on the north side of the Gore. The Bank of British North America, on the south side of King Street, was considered to be the “showplace of the Gore.” It was demolished in 1953.
Thomas' Kerr's Block and on 46-52 James Street North).  

Usually three to four storeys in height, each level of a Renaissance Revival building is often defined with stringcourses, and a heavy cornice supported by large brackets neatly terminates the top of the building. Typically, window surrounds with wide architrave trim have pronounced mouldings and scroll-like brackets supporting cornices of alternating segmented and pedimented shapes.

The sculptural quality and variation of the window pediments at 46-52 James Street North satisfied Thomas' fondness for the picturesque elements of light and shadow. These are similar to the window details on his now demolished Bank of British North America and on the existing Kerr’s Building (Refer to Appendix C-1, Figures 12 and 13).

Building Evolution

The building has undergone alterations over the course of its 150-year history. Various additions have been erected to the rear of the building and a portion of the rear was rebuilt after the fire in 1923. The interior, which was also largely rebuilt after the fire, has most likely been reconfigured many times in order to accommodate the changing occupants.

The most notable alteration is the application of a metal siding along the fronts of the northern two units (#48-52). This alteration was undertaken in 1961 to provide a consistent commercial front for the Ontario Home Furnishings Company shortly after they expanded their business from #50-52 into #48 as well. In order to accommodate the new façade, all of the existing stone projections, including the window surrounds and the roof cornice were removed.

On the unit with the preserved façade, the only alterations include the removal of the original cornice and the modification to the original shop front. With the cornice and street-level shopfronts restored, the building would once again stand as a fine example of the Renaissance Revival Style of architecture.

Building Description

The original building configuration and design elements can be assessed from archival images, textual descriptions and the existing fabric, and for the purposes of this report, the existing condition and the original form will be discussed together (Appendix C-1, Figure 15).


22 At the time of writing (2008), the shop front was boarded up and the interior was not available for inspection.

In its original state, the stone façade was symmetrical and clearly ordered. Typical nineteenth century shopfronts with large expanses of glass, topped with a continuous shop front cornice, formed the base of the four-storey building. None of these shopfronts exists today. The upper three stories were constructed of stone and were organized around a central motif of tripartite windows. Four window bays flanked the central window grouping—the rectangular window openings having double-hung wood-frame windows. Three bays of the four windows to the south of the original central motif are still extant. The remaining window surrounds were removed at the time of the application of the metal façade in 1961 and the wood-frame windows may also have been removed.

Stone window pediments are one of the key heritage character defining features of this Renaissance Revival Style building. Not atypical of the style was the varied use of pediment forms with the second floor defined with a triangular pediment, the third floor defined with a rounded pediment and the top floor defined by a segmental pediment (Appendix C-1, Figure 16). The window pediments of the second and third floors sit on a stone lintel with two stone brackets, while the fourth floor window moulding sits directly on the stone bracket.

A raised stone stringcourse forms a very simple defining line of each storey, and stone quoins delineated the two ends of the façade. Only those quoins on the south end of the façade are visible today. The final architectural detail of the front façade was the stone cornice, supported by stone corbels, along the roofline. This architectural detail has been removed from the entire façade, including the portion that was not covered in the metal siding. Without this key design feature, the building presents somewhat of an unfinished effect. Thomas’ Kerr’s Block on King Street East is indicative of how the cornice would have appeared.

The rear façade of 46-52 James Street North is barely visible due to the density of the interior of the block and the subsequent erection of many buildings and outbuildings to the rear. The rear facade is primarily of brick construction with some of the walls parged. It has rectangular window openings with very little detailing. A stone, two-storey rear wing off of the southern most unit (#46) originally created an L-shaped building, yet the construction of the brick extension behind 48-52 has filled in the property.

While the interior was not accessible at the time of writing, textual documentation would suggest that the interior has four stories and a basement. Historically the first floor was used for retail or showroom purposes, and the upper floors were used for offices or light industry.\(^{24}\)

\(^{24}\) In 1886, when Marsden & Son occupied the building, the first floor was used for a showroom and the second floor was used for the machinery for their framing business. The upper floors were used for frame assembly and storage. *Industries of Canada: Historical and Commercial Sketches: Hamilton & Environ* (Toronto: M.G. Bixby & Co., publishers, 1886): 54.
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 Hamilton LACAC (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 46-52 James Street North, 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>
</tr>
<tr>
<td>Site Size: N/A</td>
<td>Site Uniqueness: N/A</td>
</tr>
<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 four-storey building, situated in an urban context first developed in the 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 46-52 James Street North and 11 were satisfied and 1 was partially satisfied.

<table>
<thead>
<tr>
<th>Historical Associations</th>
<th>Integrity</th>
</tr>
</thead>
<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>
<tr>
<td>Architecture and Design</td>
<td>Landmark: Applicable</td>
</tr>
<tr>
<td>Architectural Merit: Applicable</td>
<td>Character: Applicable</td>
</tr>
<tr>
<td>Functional Merit: Applicable</td>
<td>Setting: Applicable</td>
</tr>
<tr>
<td>Designer: Applicable</td>
<td>Social Value</td>
</tr>
<tr>
<td></td>
<td>Public Perception: Applicable</td>
</tr>
</tbody>
</table>

HISTORICAL ASSOCIATIONS

Thematic

The subject property is associated with the commercial rise of the City of Hamilton in the 1850s. Accordingly, this criterion has been satisfied.

Event

The subject property is associated with the fire of 1923, which destroyed the Lister Buildings. The group of buildings comprising 46-52 James Street North survived the fire and portions of the building were rebuilt. Accordingly, this criterion has been satisfied.

Person and/or Group

The property is associated with a long list of former owners and occupants, who constitute an important commercial group, including Clark’s Business College which was one of the educational institutions devoted to training business professionals in the nineteenth and early twentieth centuries. Accordingly, this criterion has been satisfied.

ARCHITECTURE AND DESIGN

Architectural Merit

The subject building, notably the southern most portion that is still visible, in its composition, design and materials, is a representative example of Renaissance Revival architecture dating to the pre-Confederation period, 1855-56. Accordingly, this criterion has been satisfied.
Functional Merit

The building is currently (2008) vacant but could continue to serve a commercial function. Accordingly, this criterion is satisfied.

Designer

The building was designed by the nineteenth-century architect William Thomas, considered a key figure in Canadian architectural history, who designed important buildings throughout Ontario and in other Canadian provinces. Accordingly, this criterion has been satisfied.

INTEGRITY

Location Integrity

The subject building remains in its original location on a commercial section on James Street North. Accordingly, this criterion has been satisfied.

Built Integrity

The subject building retains only a portion of its original architectural configuration of the four-storey stone building with sculptural window pediments and corner quoins. Only three bays of windows, of the originally nine bay wide façade, are visible and the installation in 1961 of a metal façade over the stone removed the distinctive architectural features below. Therefore, this criterion is only partially satisfied.

ENVIRONMENTAL CONTEXT

Landmark

The building’s stone construction, famous designer and adjacency to the Lister Building has contributed to the landmark character of the building, especially in its context as part of the James Street North streetscape. Therefore, this criterion is satisfied.

Character

The subject property is located in an area of downtown Hamilton whose historic character has been altered since the building’s construction. However, the block directly to the north, between Rebecca and Wilson, has a continuous row of nineteenth century buildings, and in the block between Rebecca and King William, the subject building stands as a part of a historic row of commercial buildings, which includes the 1923 Lister Building.

James Street North is both architecturally and historically significant for downtown Hamilton. Three to four storey commercial row buildings line the street and exemplify early architectural styles and exhibit high levels of craftsmanship. Great attention in both design and construction was given to
architectural details such as elaborate cornices, decorative window trim and ornate brick work. Accordingly, this criterion has been satisfied.

**Setting**

The setting of the subject property has not been altered significantly from the original context. While the west side of James Street North is no longer configured with the nineteenth century buildings, the east side remains relatively unaltered. Accordingly, this criterion has been satisfied.

**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*. Also, as early as 1983, due to its cultural heritage significance, Hamilton City Council, passed a by-law of intent to designate James Street North, between King Street and Barton Street as a Heritage Conservation District pursuant to Part V of the *Ontario Heritage Act*. This by-law of intent served as the mandate for the Planning and Development Department, to undertake, in 1984 a study of the district and prepare a detailed plan to preserve and enhance the character of the district. The property at 46-52 James Street South was included in this potential district. Community input over the past year has also heightened the awareness of the heritage value of this structure. Accordingly, 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:

<table>
<thead>
<tr>
<th>Farm complex</th>
<th>Waterscape</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamlet</td>
<td>Railway</td>
</tr>
<tr>
<td>Commercial core/streetscape</td>
<td>Abandoned road r.o.w.</td>
</tr>
<tr>
<td>Industrial complex</td>
<td>Public park</td>
</tr>
<tr>
<td>Cemetery/church/rectory or other religious complex</td>
<td>Private garden/estate</td>
</tr>
<tr>
<td>Roadscape</td>
<td>Agricultural fairground</td>
</tr>
<tr>
<td>Residential area</td>
<td></td>
</tr>
</tbody>
</table>
The subject property at 46-52 James Street North was historically, surrounded by commercial buildings of similar age and style, forming a densely developed neighbourhood. However, in the assessment, only the subject building is 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 11, and partially satisfies 1, of the 12 criteria, pertaining to built heritage:

**Thematic:** The subject property is associated with the commercial rise of the City of Hamilton in the 1850s.

**Event:** The subject property is associated with the fire of 1923, which destroyed the Lister Buildings. The group of buildings comprising 46-52 James Street North survived the fire and portions of the building were rebuilt.

**Person and/or Group:** The property is associated with a long list of former owners and occupants, who constitute an important commercial group, including Clark's Business College, which was one of the educational institutions devoted to training business professionals in the nineteenth and early twentieth centuries.

**Architectural Merit:** The subject building, notably the southern-most portion that is still visible, in its composition, design and materials, is a representative example of Renaissance Revival architecture dating to the pre-Confederation period, 1855-56.

**Functional Merit:** The building is currently (2008) vacant but could continue to serve a commercial function.

**Designer:** The building was designed by the nineteenth-century architect William Thomas, who is considered a key figure in Canadian architectural history, designing important buildings throughout Ontario and in other Provinces.

**Location Integrity:** The subject building remains in its original location on a commercial section on James Street North.

**Built Integrity:** The subject building retains only a portion of its original architectural configuration of the four-storey stone building with sculptural window pediments and corner quoins. Only three bays of windows, of the originally nine bay wide façade, are visible and the installation in 1961 of a metal façade over the stone removed the distinctive architectural features below.
Landmark: The building’s stone construction, famous designer and adjacency to the Lister Building has contributed to the landmark character of the building, especially in its context as part of the James Street North streetscape.

Character: James Street North is both architecturally and historically significant for downtown Hamilton. Three to four storey commercial row buildings line the street and exemplify early architectural styles and exhibit high levels of craftsmanship. Great attention in both design and construction was given to architectural details such as elaborate cornices, decorative window trim and ornate brick work.

Setting: The setting of the subject property has not been altered significantly from the original context. While the west side of James Street North is no longer configured with the nineteenth century buildings, the east side remains relatively unaltered.

Public Perception: The subject property was included in the former City of Hamilton’s Inventory of Buildings of Historical and/or Architectural Interest.

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 direct associations with the theme of commercial development and it demonstrates the work of an architect who is significant to the local community and the Nation; and, it has contextual value because it is important in defining, maintaining or supporting the character of the area, is historically and visually linked to its surroundings and functions as a landmark.

7.3 Recommendation

The building located at 46-52 James Street North, Hamilton, satisfies the City of Hamilton evaluation criteria for properties of cultural heritage value, and the criteria established in Ontario Regulation 9/06 under the Ontario Heritage Act. Thus this property at 46-52 James Street North is recommended for designation.

8.0 BIBLIOGRAPHY

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**Maps**

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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

Toronto Lithographing Co., Bird’s Eye View of Hamilton, 1893

Fire Insurance Plan of Hamilton, Ontario, 1911

Fire Insurance Plan of Hamilton, Ontario, 1964

**Miscellaneous**

City of Hamilton, Assessment Rolls, 1855-1875

City of Hamilton Directories, 1872-1981


James North Heritage District: Background Information Report, prepared by Hamilton-Wentworth Planning and Development Department, 1984.

Ontario Ministry of Culture. Ontario Archaeological Sites Database.
Figure 1: Location map of 46-52 James Street North, Hamilton
Figure 2: James Street North, west side opposite subject property, 1899 (Hamilton Public Library)
Figure 3: Detail from the *Illustrated Historical Atlas*, Wentworth County, 1875, showing location of City Hall, the Mechanics’ Hall, and the Post Office, in relation to 46-52 James Street North.
Figure 4: Detail from Marcus Smith Map, 1850-51, showing evidence of early buildings along James Street North between King William and Rebecca Streets.

Figure 5: View of James Street North in 1875 showing the Lister Buildings (1852). The building on the far left (partially obscured by the telegraph pole) is 46-52 James Street North.
Figure 6: Detail from Bird’s Eye View, 1876, showing block bounded by James Street North, Rebecca, Hughson and King William.

Figure 7: Lister Buildings after fire of 1923. The damage to 46-52 James Street North is just barely visible on the far left of this photograph.
Figure 8: Advertisement for Clark's Business College, 46-52 James Street North from City Directory, 1907.
Figure 9: Interior of 46-52 James Street North – office for Clark's Business College from City Directory, 1907.

Figure 10: Contemporary view of façade of 46-52 James Street North with metal cladding.
Figure 11: View of 46-52 James Street North (Hamilton Public Library)

Figure 12: William Thomas’ Bank of British North America (1847) and White’s Block (1853).
Figure 13a): William Thomas' Kerr's Block

Figure 13b): Contemporary view of Kerr’s Block, 18-22 King Street East
Figure 14: Bank of Upper Canada, James Street North at Vine
Figure 15: Original and existing façade of 46-52 James Street North
Figure 16: Details of existing façade of 46 James Street North
June 26, 2008

Mayor Fred Eisenberger
City of Hamilton
77 James Street North, Suite 230
Hamilton, Ontario
L8R 2K3

Dear Mayor Eisenberger:

First of all, please accept my sincere thanks for all of your hard work and commitment to the Lister Project. Unfortunately, Council fell short on commitment, and displayed an unfair negotiation posture, that has jeopardized the project.

In numerous municipalities across North America, where brownfield sites have been successfully renovated, government has played an important role in offsetting the cost of rehabilitation of these historic structures. In fact, the Province of Ontario recognized that there would be additional costs associated to the renovations of the Lister, and committed $7 Million to bring this project to fruition.

LIUNA was committed to proceeding with our original plan to house the City’s staff in the Lister, redevelop the existing streetscapes of James Street and King William, and build two buildings for retirement living. However, we are not committed to guaranteeing $600,000 in new taxes per year on phase 2 of the project.

In fact, we moved substantially from our original position to a compromise position, that frankly we were uncomfortable with.

In 2008 it may seem viable to proceed with the original concept, obviously assuming that the City purchase would have been successful. However we are not comfortable in guaranteeing that all will stay the same from an economic point of view in for example six or eight year’s time. We believe this is a reasonable and prudent position for organization to take. Furthermore, we are vehemently opposed to any kind of penalties to development in order to create tax assessments. Therefore, let this letter serve as an official notification that LIUNA/Hi-Rise is rescinding all previous agreements to guarantee.

.../2

Feel The Power!
Since the provincial $7 Million grant will not be used for the Lister renovation, LIUNA will be petitioning the Ministry of Culture to amend their position on the complete renovation of the Lister. Without those earmarked funds it is impossible to achieve the same level of renovation.

Furthermore, all of LIUNA’s developments on the Lister site were contingent on the Lister purchase. Since that option has evaporated we will be reviewing and reassessing the degree of redevelopment. We will also be appealing the submission for heritage designation of the Thomas Building which will be difficult to renovate if there is a radical heritage easement on that property.

We have expended an extraordinary amount of time, energy and finances on this project. We could have avoided the lapse in time if in fact we would have dealt exclusively with the private sector. However, the $7 Million is contingent on the city’s participation, therefore this presents a difficult and significant shortfall for renovation.

I will of course keep you informed on our progress with other private and institutional groups that we will be approaching for redevelopment.

With kind regards, I remain

Sincerely,

Joseph S. Mancinelli
LIUNA International Vice President
and Central & Eastern Canada
Regional Manager

cc: Manuel Bastos, Business Manager, LIUNA Local 837
cc: Warren Green, President, Hi-Rise Group
cc: Shawn Marr, Vice President, Hi-Rise Group
cc: Joe Rinaldo, General Manager
    Finance and Corporate Services, City of Hamilton
cc: Tim McCabe, General Manager
    Planning and Economic Development, City of Hamilton