

**Conservation
Review Board**

Ministry of Citizenship
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**Commission des
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**RE: CITY OF HAMILTON - INTENTION TO DESIGNATE
28-44 JAMES STREET NORTH/5-21 KING WILLIAM STREET
(THE LISTER BLOCK)**

Heather Broadbent, Vice-Chairman
Nathalie Boutet, Member

May 9, 1996

This hearing was reconvened at the Town Hall of the City of Hamilton on May 9, 1996, pursuant to Section 29(8) of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18, for the purpose of reporting to the Council of the City of Hamilton whether the property known as "THE LISTER BLOCK" (also referred to as the "Site"), at the corner of James Street North and King William Street, Hamilton, should be designated by by-law under the Act, one objection having been raised by the owner of the property. The original hearing of this matter was on July 17, 1995, as a result of which a preliminary report was prepared by the Board and sent to the parties.

The Board, in accordance with its custom, had the opportunity to view the site and the surrounding area prior to the hearing.

1. Were present:

City of Hamilton: A. Zuidema, lawyer

D. Gagnon, paralegal

N. Chapple, architectural historian

Owners: S. Snider, lawyer

L. Carvalho, student

Public: D. Cuming, local resident in favour of the designation

2. The Hearing:

The owner of the Lister Block, 810322 Ontario Inc., through its agent Metrus Properties Ltd., originally objected to the proposed designation, as a result of which a hearing under the Ontario Heritage Act was convened on July 17, 1995. The only person present at that hearing was counsel for the City of Hamilton, who requested an adjournment to allow the parties to continue to negotiate. Two exhibits were filed, and the adjournment was granted. A report of the details of the request for adjournment, dated July 17, 1995, is attached hereto.

The hearing was reconvened on May 9, 1996, at which time the owner withdrew its objection to the proposed designation (Exhibit #1 to the second hearing).

Mr. Snider, for the owners, then suggested that as new Provincial legislation had been passed the hearing need not be held. After a brief consultation the Board concluded that as the hearing had originally convened under the former legislation it should be concluded in the previous format.

The Board proceeded summarily with the hearing by receiving written evidence on behalf of the City of Hamilton. The evidence was briefly explained by the expert witness for the City, Ms. Nina Chapple, (Ms. Chapple's résumé was filed as Exhibit #2 to the second hearing).

An architectural report prepared by Mr. Bernard Prack dated May 9, 1996, (Exhibit #3 to the second hearing), provides details supporting the contention that the Lister Block has been recognized as a building of architectural and historical value for over 15 years.

A comprehensive Proposal for adaptive re-use of the Lister Block, dated March 1995 and prepared by the Planning and Development Department of the City of Hamilton, was filed as Exhibit #4 to the second hearing.

The building was built in 1923, and its original owner was Joseph Edmund Lister. It has been a prominent downtown landmark since it was erected, in part because of its height, corner location, large double street frontage and assertive architectural design. It was originally in the heart of Hamilton's civic core, directly across from City Hall and Market Square, and just south of the Federal Building.

From an urban design perspective, full advantage was taken of the corner site. Equal architectural emphasis was given to the six- and eight-bay street elevations, with entrances provided to the L-shaped arcade from both James and King William Streets.

Despite changes to the original street pattern and built forms, the Lister Block still relates very well to its setting and maintains a commanding presence.

From a historical point of view, the Lister Block is noteworthy for its long term association with the Lister family, dating back to the 1850s when the original four-storey stone commercial block was erected for Joseph Lister. Following a devastating fire in 1923 which left the structure in ruins, plans were immediately drawn up for a larger, six-storey fireproof building by his son and manager since 1911, J. E. Lister. Joseph and J. E. Lister were both successful businessmen who demonstrated the family's confidence in and commitment to Hamilton through their respective Lister Block developments.

From an architectural point of view, the building is Hamilton's oldest remaining major retail/office complex with a large interior arcade, and it is one of the City's best examples of the decorative use of terra cotta. It is also one of the most distinctive buildings designed by the local architectural firm of Bernard Prack & Co., (later Prack & Prack), whose achievements included the tall Gothic-inspired 1929 Pigott Building. Typical of early 20th century office buildings, the Lister Block combined technically advanced fireproof construction with traditional architectural materials and forms. Stylistically it followed the Renaissance Revival precedent adopted from Hamilton's pre-modern tall buildings, such as the Royal Connaught Hotel, and was similarly characterized by the tripartite division of its facades into base, shaft and capital, all articulated by classical elements and details. The L-shaped interior arcade, claimed at the time of its opening to be the first in Hamilton with a second level of shops, is also noteworthy for its architectural treatment; corridors with marble and patterned terrazzo flooring lined with varnished wood and plate-glass storefronts, and at street level, decorative plasterwork in the form of arches sprung from classical pilasters, and square skylights (originally domed on the interior).

Seventy-one years of continuous use in the centre of Hamilton's downtown core have inevitably left their mark; the terra cotta is chipped or broken in some places; surface finishes are discoloured; storefronts have been unsympathetically altered; and the lower facades cluttered with uncoordinated and overpowering signage. Despite the wear-and-tear, however, the clarity of the original design concept has withstood the test of time. Both interior arcades as well as two exterior storefronts have survived virtually intact.

3. Finding of Facts:

The Board is of the view that the property in question has significant historical and architectural importance. The Board finds that the Lister Block forms an integral part of Hamilton's downtown core. A high level of care will be required to preserve the remaining architectural features if the Lister Block is readapted or its use changed.

4. Recommendation:

It is the recommendation of the Board that the Lister Block be designated by by-law under Part IV of the Ontario Heritage Act.

(Original Signed by)

Heather Broadbent, Vice-Chairman

Nathalie Boutet, Member

EXHIBITS FILED ON 1ST HEARING (July 17,1995):

1. Affidavit of Notice of Hearing
2. Report from Mr. David Cuming in support of the designation.

EXHIBITS FILED ON 2ND HEARING (May 9,1996):

- 1 . Withdrawal of objection dated May 9, 1996.
2. Nina Chapple's Resume
3. Nina Chapple's proposed evidence.
4. Report on Hamilton's Lister Block:. "A Credit to the City". A Proposal for Adaptive Re-use", March 1995, Planning and Development Department, City of Hamilton.