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**IN THE MATTER OF THE ONTARIO HERITAGE ACT,
R.S.O. 1990, Chapter O.18, S. 29 and S. 67**

**AND IN THE MATTER OF THE LANDS AND PREMISES
IN THE CITY OF HAMILTON, KNOWN MUNICIPALLY
AS 28-44 JAMES STREET NORTH/5-21 KING WILLIAM
STREET**

NOTICE OF INTENTION TO DESIGNATE

FEB 9 1995

TO: The Ontario Heritage Foundation,
10 Adelaide Street East,
Toronto, Ontario.
M5C 1J3-

**RECEIVED
CITY OF HAMILTON
CLERK**

TAKE NOTICE THAT the Council of The Corporation of the City of Hamilton intends to designate the following property, including land and buildings, as a property of historic or architectural value or interest under Part IV of the Ontario Heritage Act: 28-44 James Street North/5-21 King William Street.

THE REASONS for the proposed designation are set out in Schedule "A" annexed hereto.

A NOTICE OF INTENTION TO DESIGNATE is being published in The Spectator once a week for each of three consecutive weeks, commencing on the date set out below.

ANY PERSON may, within thirty days of the date set out below, send by registered mail or deliver to the Clerk of The Corporation of the City of Hamilton notice of his or her objection to the proposed designation, together with a statement of the reasons for the objection and all relevant facts. When a Notice of Objection has been received, the Council of the City of Hamilton will refer the matter to the Conservation Review Board for a hearing and report.

DATED at the City of Hamilton this 7th day of February 1995.

J. J. Schatz
City Clerk
Hamilton, Ontario

Schedule "A"

REASONS FOR DESIGNATION

Lister Block

28-44 James Street North / 5-21 King William Street

Context

The imposing six-storey retail/office building known as the *Lister Block* has been a prominent downtown landmark since erected in 1923 at the north-east corner of James Street North and King William. Its height, corner location, large double street frontage, and assertive architectural design have all contributed to its dominant character. An anchor block on both streets, its strong presence has been further accentuated in recent years by two major changes to the historic James North streetscape: the replacement of the four- and six-storey T. Eaton Co. department store (1916/20) to the north-west by the lower Eaton Centre (1990) and the large gap created by the demolition of the 1929 Zeller's building to the south.

The Lister Block originally stood in the heart of Hamilton's civic core, directly across from the City Hall (1888) and Market Square, and just south of the Federal Building (1856/1920). The downtown urban renewal scheme, initiated by the opening of the new City Hall in 1960, however, gradually shifted the focus of civic and cultural activity away from James Street North, resulting in the loss of two major Victorian landmarks: the old City Hall and the Grand Opera House (1880) located two blocks to the north.

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. The use of the traditional truncated corner served to orient the building both to the intersection of James and King William and the open space beside City Hall, known as Market Square. 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.

History

The Lister Block site 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. It was Lister's proclaimed ambition to provide the most up-to-date and central accommodation for small merchants at the lowest possible rents: stores facing James and King William, a two-level interior shopping arcade and office suites on the upper four floors. Within several years, Lister's ambitious project proved to be a success, attracting a variety of retail stores as well as service-oriented businesses and agencies (e.g. cafes, barber shops, beauty salons, medical practitioners, accountants, real estate agents, building societies, and charitable organizations). 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.

The present Lister Block remained largely occupied until the mid-1970s. Long-standing tenants have included the Tait-Gibson Optical House, one of the first occupants in 1927 and still located at #44, Anne Foster Music Shop at #36 since 1942, and the former White Grill Restaurant, located at #40 for over forty years.

Architecture

The Lister Block is significant as Hamilton's oldest remaining major retail/office complex with a large interior arcade. It also ranks among the city's best surviving examples of the decorative use of terra cotta. Moreover, it is 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 fire-proof construction with traditional architectural materials and forms. Stylistically, it followed the Renaissance Revival precedent adopted for Hamilton's pre-modern tall buildings, such as the Royal Connaught Hotel (1914-16), and was similarly characterized by the tripartite division of its facades into base, shaft and capital, all articulated by classical elements and details. The massing of the Lister Block, however, more closely resembled that of the early 20th century department store, with its bulkier proportions and horizontal emphasis (as exemplified by the original T. Eaton Co. building).

To the architect's credit, the Lister Block is distinguished by the clear architectural expression of its dual function, the skilful handling of Renaissance Revival forms, and high-quality materials employed in a visually effective manner. The building consists of a reinforced concrete frame clad in brick, terra cotta and sheet copper. The white glazed terra-cotta facade of the lower two stories of retail space comprises fluted pilasters supporting an entablature punctuated by decorative medallions aligned with the capitals. Set within this classical framework are the individual storefronts and wide display windows above. In contrast, the facade of the upper four stories of office space is divided into bays of tall sash windows and copper spandrel panels by piers of dark brown rug brick. Crowning the facade is a white glazed terra-cotta entablature similar in design to the lower one, but more elaborate.

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).

The Lister Block has, to a large extent, preserved its original architectural character. Most of its original exterior and interior features are intact; and exterior alterations have mainly occurred at ground floor level: most noticeably, the partial removal of two corner pilasters. Only the storefront of Anne Foster Music (#36) still stands unaltered.

Designated Features

Important to the preservation of the Lister Block are the original architectural features of:

- the two street facades (west and south), including all original windows, the one original storefront at #36, and the decorative terra-cotta and copper work, but excluding recent alterations to the storefronts and arcade entrances;
- the two-level interior arcade, including the shopfronts, decorative plasterwork, marble and terrazzo flooring, and skylights (excluding the recent bubble domes).