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Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1202

May 15, 2025

Ontario Heritage Trust  
Attn: Provincial Heritage Registrar  
10 Adelaide Street East  
Toronto, ON M5C 1J3

**RECEIVED**  
2025/05/15  
(YYYY/MM/DD)  
Ontario Heritage Trust

Delivered via email to: registrar@heritagetrust.on.ca

Dear Provincial Heritage Registrar:

**Re: Notices of Registering on Title of By-laws to Designate Properties in the City of Hamilton under Part IV of the *Ontario Heritage Act***

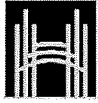
The City of Hamilton has recently passed designation by-laws under Part IV of the *Ontario Heritage Act* for six properties in Flamborough, Ancaster, Hamilton, Stoney Creek, and Dundas. Following our previous correspondence, please be advised of this notice of by-laws being registered on title for the following properties:

By-law Number	Address	Community	Registration Date	Instrument No.
25-004	265 Mill Street South	Flamborough	March 19, 2025	WE1787015
25-006	311 Wilson Street East	Ancaster	March 19, 2025	WE1787017
25-007	134 Cannon Street East	Hamilton	March 19, 2025	WE1787014
25-005	24 Blake Street	Hamilton	March 19, 2025	WE1787016
25-043	2251 Rymal Road East	Stoney Creek	April 28, 2025	WE1792848
24-044	21-25 Jones Street	Stoney Creek	April 28, 2025	WE1792847
25-049	85 King Street East	Dundas	May 12, 2025	WE1795158
25-050	223 Governor's Road	Dundas	May 12, 2025	WE1795159

Please also find attached certified copies of the by-laws, along with the registration instruments.

If you have any questions regarding these Notices of Registering on Title, please contact: Maryssa Barras, Cultural Heritage Planning Technician II, Phone: (905) 546-2424 ext. 6126, Email: [Maryssa.Barras@hamilton.ca](mailto:Maryssa.Barras@hamilton.ca), or our general email at [CulturalHeritagePlanning@hamilton.ca](mailto:CulturalHeritagePlanning@hamilton.ca).

*MB*



Hamilton

A handwritten signature in black ink, appearing to read 'MB' followed by a long horizontal flourish.

Maryssa Barras *CAHP*  
Cultural Heritage Planning Technician II

MB.

Attach.

cc: Alissa Golden, Cultural Heritage Program Lead  
Meg Oldfield, Cultural Heritage Planner  
Scott Dickinson, Cultural Heritage Planner

**Properties**

PIN

17501 - 0807   LT

Description

PART LOT 4 PLAN M11 PARTS 6 & 7 62R334 EXCEPT PART 1 62R20948 & PART 3 62R20779; FLAMBOROUGH; CITY OF HAMILTON

Address

265 MILL STREET SOUTH  
WATERDOWN

**Applicant(s)**

This Order/By-law affects the selected PINs.

Name

CITY OF HAMILTON

Address for Service

City Clerk - City Hall  
71 Main Street West  
Hamilton, ON   L8P 4Y5

This document is being authorized by a municipal corporation Andrea Horwath, Mayor & Matthew Trennum, City Clerk.

This document is not authorized   under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-law See Schedules.

Schedule:   The by-law affects land or an interest in land.

**Signed By**

Eric Alexander Freeman

71 Main Street West  
Hamilton  
L8P 4Y5

acting for  
Applicant(s)

Signed

2025 03 19

Tel

905-546-4520

Email

Eric.Freeman@hamilton.ca

I have the authority to sign and register the document on behalf of the Applicant(s).

**Submitted By**

CITY OF HAMILTON

71 Main Street West  
Hamilton  
L8P 4Y5

2025 03 19

Tel

905-546-4520

Email

Eric.Freeman@hamilton.ca

**Fees/Taxes/Payment**

Statutory Registration Fee

\$70.90

Total Paid

\$70.90

**File Number**

Applicant Client File Number :

25-004

**Authority:** Item 7(a), Planning Committee Report 24-015 (PED24169)

CM: October 23, 2024 Ward: 15

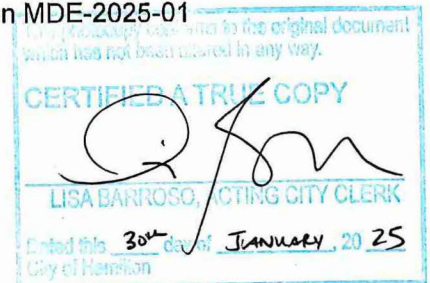
Written approval for this by-law was given by Mayoral Decision MDE-2025-01

Dated January 22, 2025

**Bill No. 004**

**CITY OF HAMILTON**

**BY-LAW NO. 25-004**



**To Designate Property Located at 265 Mill Street South, Flamborough, City of Hamilton as Property of Cultural Heritage Value**

**WHEREAS** section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

**AND WHEREAS** Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on September 27, 2024;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on October 23, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 265 Mill Street South, Flamborough in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 24-192;

**AND WHEREAS** in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

**AND WHEREAS** no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

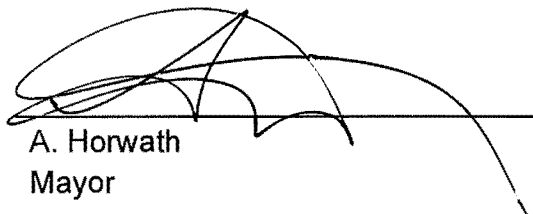
**AND WHEREAS** Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

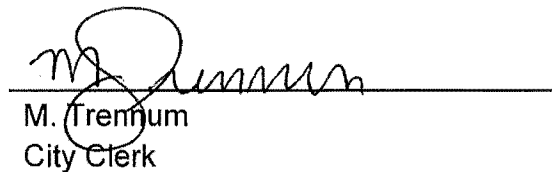
1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.

2. The Property, together with its heritage attributes listed in Schedule "C" hereto, is hereby designated as property of cultural heritage value or interest.
3. The City Clerk is hereby authorized and directed,
  - a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
  - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule "A" hereto in the proper registry office.

**PASSED** this 22<sup>nd</sup> day of January, 2025.



A. Horwath  
Mayor



M. Tremblum  
City Clerk

To Designate Property Located at 265 Mill Street South, Flamborough, City of Hamilton as Property of  
Cultural Heritage Value

Page 3 of 6

**Schedule "A"**  
**To**  
**By-law No. 25-004**

**265 Mill Street South, Flamborough**  
**Hamilton, Ontario**

PIN: 17501-0807 (LT)

Legal Description:

PART LOT 4 PLAN M11 PARTS 6 & 7 62R334 EXCEPT PART 1 62R20948 & PART  
3 62R20779; FLAMBOROUGH; CITY OF HAMILTON

**Schedule "B"**  
**To**  
**By-law No. 25-004**

**265 Mill Street South, Flamborough**  
**Hamilton, Ontario**

**Notice of Intention to Designate**  
**265 Mill Street South, Flamborough (Braebourne)**

The City of Hamilton intends to designate 265 Mill Street South, Flamborough, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

**Statement of Cultural Heritage Value or Interest**

The property at 265 Mill Street South, Flamborough is a representative example of the residential Neoclassical architectural style which displays a high degree of artistry through the wooden surrounds with pilasters, paneling and carved brackets on the Venetian window, and the interior staircase. The property is associated with prominent industrialists, including John (1797-1868) and Lockman Cummer (1827-1907); Lieutenant-Governor Sir William Pearce Howland (1811-1907); Robert Livingston Innes (1872-1935); and Francis Farwell (1894-1966). Contextually, this property is important in defining the historic former industrial character of Smokey Hollow and is visually, historically, and physically linked to its surroundings.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment may be found online via [www.hamilton.ca](http://www.hamilton.ca) or viewed at the Office of the City Clerk, 71 Main Street West, 1<sup>st</sup> Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 8<sup>th</sup> day of November, 2024.



Matthew Trennum  
City Clerk  
Hamilton, Ontario

**CONTACT:** Scott Dickinson, Heritage Planning Technician,  
E-mail: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca)

[www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)



Hamilton



**Schedule "C"**  
**To**  
**By-law No. 25-004**

**265 Mill Street South, Flamborough  
Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND  
DESCRIPTION OF HERITAGE ATTRIBUTES**

**Description of Property**

The 2.0-hectare property municipally addressed as 265 Mill Street South is comprised of a two-storey stone dwelling constructed in 1846, historically known as Braebourne and the Cummer House. It is located on the northeast corner of the intersection of Mill Street South and Mountain Brow Road, in the former Township of East Flamborough, in the Village of Waterdown in the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The cultural heritage value of the property lies in its design value as a representative example of the residential Neoclassical architectural style, as demonstrated by the symmetrical front elevation, hip roof with projecting eaves, second storey Venetian window and central entrance with sidelights and wooden surround. The property also displays a high degree of artistry through the wooden surrounds with pilasters, paneling and carved brackets on the Venetian window and central entrance, and the interior staircase.

The historical value of the property lies in its association with several prominent industrialists and businesspeople, including mill-owner John Cummer (1797-1868) and his son Lockman (1827-1907); wealthy banker and politician Lieutenant-Governor Sir William Pearce Howland (1811-1907); Hamilton industrialist Robert Livingston Innes (1872-1935); and bus-line owner Francis Farwell (1894-1966).

Contextually, this property is important in defining the historic former industrial character of the surrounding area, known as Smokey Hollow. This mill-owner's house acts as a physical reminder of the many mills and industries which once lined Grindstone Creek and Smokey Hollow. It is visually, historically, and physically linked to its surroundings, being on its original location overlooking Smokey Hollow and close to the location of the Waterdown Flouring Mill.

## Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative example of residential Neoclassical architecture and in demonstrating a high degree of artisanship, and the historical value for its association with John Cummer and other prominent former owners, include the:

- Front (south) and side (west) elevations and roofline of the two-storey 1846 stone building, including its:
  - Brick chimney;
  - Hip roof with projecting eaves and moulded cornice and brick chimney to the west;
  - Symmetrical three-bay front elevation;
  - Rough cut, rubble-stone walls;
  - Venetian window with wooden surround with pilasters and brackets supporting moulded cornice;
  - Six-over-six hung windows with working shutters;
  - Stone voussoirs and tooled stone lug sills on window and door openings;
  - Paneled wooden front door flanked by sidelights and wooden surround with wooden paneling, pilasters and brackets supporting moulded cornice; and,
  - Stone foundation.
- One-storey sunroom side wing to the west, including its:
  - Flat roof;
  - Six-over-nine hung wood windows; and,
  - Wooden shingle siding.
- Front (south) elevation of the stone first storey side wing to the east, including its six-over-six hung wood windows with stone voussoirs and lug sills.
- Interior features of the centre hallways to the first and second floor, including:
  - Wooden baseboards; and,
  - Central Quarter-sawn American white oak staircase.

The detached accessory structures and the modern covered driveway and glass-in addition are not considered to be heritage attributes.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Waterdown and the nearby Smokey Hollow include its:

- Location on raised topography at the top of Mill Street South overlooking Smokey Hollow; and,
- Deep setback from Mountain Brow Road with lawns sweeping down to public right-of-way.