

The Corporation of the City of Kawartha Lakes

By-Law 2025-XXX

A By-Law to Designate 204 Ballyduff Road, Geographic Township of Manvers in the City of Kawartha Lakes

A By-law to designate 204 Ballyduff Road in the Geographic Township of Manvers in the City of Kawartha Lakes as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act.

Recitals

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may pass a by-law to designate a property within the boundaries of the municipality as being of cultural heritage value or interest.
2. A Notice of Intention to Designate 204 Ballyduff Road, Geographic Township described further in Schedule A, has been given in accordance with Section 29 of the Ontario Heritage Act.
3. No objection to the proposed designation has been served on the Clerk of the City.
4. Council has consulted with its Municipal Heritage Committee.
5. Reasons for Designation are set forth in Schedule A.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2025-XXX.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“alter” means to change in any manner and includes to restore, renovate, repair, erect, demolish, and disturb; and **“alteration”** and **“altering”** have corresponding meanings;

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Director of Development Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

“Municipal Heritage Committee” means the Kawartha Lakes Municipal Heritage Committee which makes recommendations to Council and is established under Section 28 of the Ontario Heritage Act;

“Ontario Heritage Act” or **“the Act”** means the Ontario Heritage Act, R.S.O. 1990, c. o.18, as amended or any successor thereof;

“Property” means property as set out in Section 2.01.

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Designation of Property

2.01 204 Ballyduff Road, Geographic Township of Manvers is designated as being of cultural heritage value, as described further in Schedule A. This designation shall not preclude alterations that may be deemed necessary for the efficient use of the property but that any and all alterations shall be in keeping with the original and present character of the property and that no alterations to the property affecting its heritage attributes as outlined in Schedule A shall be made without written consent from the City.

2.02 The City is hereby authorized to cause a copy of this by-law to be registered against the property described above in the Land Registry Office.

2.03 The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in a newspaper with general circulation within the municipality.

Section 3.00: Enforcement, Offence and Penalties

3.01 Enforcement: This by-law may be enforced by every municipal law enforcement officer and police officer.

3.02 Offence and Penalty: It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the Provincial Offences Act, the Ontario Heritage Act and to any other applicable penalty.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 24th day of June, 2025.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2025-XXX

Being a By-law to designate 204 Ballyduff Road, Geographic Township of Manvers in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

204 Ballyduff Road, Geographic Township of Manvers

Section 2: Location of Property

Located on the south side of Ballyduff Road near the hamlet of Lotus

Section 3: Legal Description

PT LT 4 CON 5 MANVERS PT 2, 9R358; T/W R424081; KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage features of the property are the historic mill and associated earthworks located adjacent to the creek.

Section 5: Statement of Reasons for Designation

Design and Physical Value

204 Ballyduff Road has design and physical value as a representative example of a mid-nineteenth century grist mill in Manvers Township. Built in the early 1850s, the mill retains original machinery such as pulleys, spur and cog wheels, shafts, gears, and pinions, as well as its stone foundation and gabled roof which are typical of mid-nineteenth century grist mills in Ontario. The property's design prioritized automation, ventilation, and visibility, with large windows and multi-storey doors to facilitate milling operations. Though renovated for modern use, the mill retains key original elements, such as hand-hewn beams, masonry foundations, and historic machinery, making it a notable example of a historic local mill in the hamlet of Lotus. It is believed to be the oldest surviving mill in Manvers Township.

Historical and Associative Value

204 Ballyduff Road has significant historical and associative value through its connection to Adam Scott Jr., the son of millwright Adam Scott Sr., who was instrumental in the settlement and development of several communities in the region, including Peterborough, Millbrook, and Lotus. Adam Scott Jr., who served as reeve of Manvers Township in the 1860s, established mills in these areas, which were crucial to growth of settlement in the region. The construction of the subject property by Scott played an essential role in the development of Lotus as a settlement area in Manvers Township and was the community's primary industry and economic driver. It yields information regarding the development of mills in Manvers Township in the mid-nineteenth century and the role of mill sites in the development of rural communities.

Contextual Value

204 Ballyduff Road, known locally as Frog Pond's Mill, has contextual value as a local landmark that played a pivotal role in the historic and economic development of Lotus. As the site of the first grist mill in the area, the property was instrumental in attracting settlers and spurring the development of Lotus as a settlement site within the broader rural region. It is historically linked to its surroundings as part of the historic development of Lotus in the mid-nineteenth century and helps define the character of the hamlet as a settlement site set apart from its rural surroundings because of the presence of the mill. Despite being hidden by dense vegetation today, the mill remains a locally recognized site, known for its role in the development of Lotus and the surrounding areas.

Section 6: Heritage Attributes

The Reasons for Designation include the following heritage attributes and apply to all elevations, unless otherwise specified, and the roof including: all façades, entrances, windows, chimneys, and trim, together with construction materials of wood, brick, stone, stucco, concrete, plaster parging, metal, glazing, their related building techniques and landscape features.

Design and Physical Value

The design and physical attributes of the property support its value as a representative example of grist mill architecture in Upper Canada and Manvers Township.

- Symmetrical rectangular plan
- Board and batten cladding
- Gable roof
- Timber frame construction
- Rubble stone foundation
- Fenestration
- Central entrance on the front elevation of the building
- Dam, earthworks and watercourse
- Extant milling machinery including:
 - Pulleys
 - Spur Wheels
 - Cog Wheels
 - Shafts
 - Gears
 - Pinions

Historical and Associative Value

The historical and associative attributes of the property support its value in the mid-nineteenth century development of the hamlet of Lotus in the mid-to-late 1800s, as well as its connection with Adam Scott Jr.

- Historic use as a grist mill
- Historical association with Adam Scott Jr.

- Historic value in the development of Lotus as a mill settlement

Contextual Value

The contextual attributes of the property support its value as a local landmark and its historic associations with the mid-nineteenth century development of the Lotus community.

- Location on Frog Pond within the hamlet of Lotus Relationship to the historic hamlet as a cohesive landscape
- The role that the mill played in the economic development of the hamlet of Lotus