

To: COUNCIL

Meeting Date: 6/17/2025

Subject: 90 Old Mill Road, Designation By-law 59-88 Amendment – Sheave Tower

Submitted By: Melissa Aldunate, Manager of Policy Planning

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Report No.: 25-065-CD

File No.: LAC 8.59.59

Wards Affected: Ward 1

RECOMMENDATION(S):

THAT Report 25-065-CD: 90 Old Mill Road, Designation By-law 59-88 Amendment Sheave Tower, be received;

AND FURTHER THAT Council approve the staff recommendation to amend the designation By-law for 90 Old Mill Road- Sheave Tower in accordance with the updated Statement of Cultural Heritage Value or Interest, attached as Appendix B.

EXECUTIVE SUMMARY:

Purpose

This report has been prepared to provide a recommendation to Council on the proposed amendment of the Designation By-law 59-88 for 90 Old Mill Road, as per Section 30.1(5) of the *Ontario Heritage Act*.

Key Findings

- The property at 90 Old Mill Road is designated under Part IV of the *Ontario Heritage Act* and located within the Blair Village Heritage Conservation District.
- The property contains a 31-foot wooden structure, known as the Sheave Tower, built in 1876 in the Carpenter Gothic Style.
- The proposal to amend the existing designation by-law through an updated Statement of Cultural Heritage Value or Interest (SCHVI) ensures that the property's cultural heritage attributes are appropriately conserved for future generations.

Financial Implications

There are minor costs associated with providing public notice and registering the amended by-law on the property's title. There are no other financial implications to the City as a result of amending the designation by-law.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Not Applicable

Strategic Action: Not Applicable

☒ Core Service

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

The subject property is located on the north side of Old Mill Road between Dickie Settlement Road and Meadowcreek Lane (Figure 1). The property is an irregularly shaped lot that is 3.93 acres (15,904.88 metres squared) in size. The property is heavily wooded and is bisected by Blair Creek, running through the property from north to south. A 31-foot wooden structure, known as the Sheave Tower, is located in the centre of the lot along the creek (Figure 2).

The Sheave Tower was built in 1876 and once harnessed water power to operate the Carlisle Grist Mill at 91 Old Mill Road. The tower is believed to be one of the last remaining wooden sheave towers in Ontario and one of the only extant examples of early mechanical power transfer technology in Ontario. In 1999, restoration work on the Sheave Tower included replacement of damaged elements at the tower's base, new board and batten cladding, concrete work for the sluiceway and foundation of the tower. The restoration also involved replacing roof shingles as well as installation of the footbridge and landscaping, plaques and signage designed and supervised by the heritage architect Nicholas Hill.

The property is zoned Open Space (OS1) within the City's Zoning By-law and designated as Natural Open Space System within the City's Official Plan. The property is designated under both Parts IV and V of the *Ontario Heritage Act*, being located

within the Blair Village Heritage Conservation District (HCD). The provisions of Part IV apply to the subject property, despite it being located within the Blair Village HCD, as per Section 41(2.2) of the Ontario Heritage Act. The subject property was originally designated in 1988 through By-law No. 59-88. The By-law was later amended through By-law No. 122-94, a By-law which was subsequently repealed through By-law No. 55-96 (Appendix A). Despite this, the property's statement of cultural heritage value or interest or description of heritage attributes was not altered from the original contents of By-law No. 59-88.

The current property owner has requested that the designation by-law be updated. The updated SCHVI that will form part of the amended by-law is attached as Appendix B.

On April 17, 2025, proposed by-law amendment was brought before the Municipal Heritage Advisory Committee (MHAC), who provided support for staff recommendations.

Following the passing of the amended designation by-law, Heritage Planning staff will bring back the by-law for passing to a subsequent Council meeting.



Figure 1: The subject property, outlined and hatched in blue, shown on an aerial map (City of Cambridge).



Figure 2: Photograph of the Sheave Tower and access bridge (Doors Open Ontario, 2022).

ANALYSIS:

Heritage Planning staff have held discussions with the current property owner on amending the designation by-law to better ensure protections for the property. Amending the existing Part IV designation by-law, through an updated SCHVI, ensures that the cultural heritage value of the property is adequately reflected in the by-law and that changes to the property would be regulated through the heritage permit process outlined in Section 33 of the *Ontario Heritage Act*. Amending the existing by-law also enables the City to correct any discrepancies in the legal description and update the contents of the by-law to achieve conformity with changes to the *Ontario Heritage Act* made through Bill 23, the *More Homes Built Faster Act (2022)* and Bill 200, the *Homeowner Protection Act (2024)*.

Evaluation under Ontario Regulation 9/06 (as amended by 569/22)

According to legislative changes introduced to the *Ontario Heritage Act* through the *More Homes Built Faster Act, 2022*, properties must meet at least two (2) of nine (9) criteria under *Ontario Regulation 9/06* to be considered for designation under Part IV of the *Ontario Heritage Act*. The following evaluation was prepared for the property using By-law No. 59-88 and previous heritage assessments.

- 1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.**
 - YES – The property contains physical and design value as a unique example of the Carpenter Gothic style, applied to a historical industrial milling architecture. The tower provided power to the neighbouring Carlisle Mill by means of a pulley and cable turning a wheel (sheave) near the top of the tower. The gabled tower features distinctive Gothic-style lancet windows.
- 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.**
 - YES – The Sheave Tower displays a high degree of craftsmanship as a unique structure with few equivalents across Ontario. The wooden building is constructed with timber framing and clad with vertical wood siding. The unique tower stands approximately 31 feet in height, topped with a gabled roof. The tower is approximately 12 feet square at the base and includes a wood-framed lean-to extension on the south elevation.
- 3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.**
 - YES – The Sheave Tower demonstrates a high degree of technical achievement. The tower is believed to be one of the last remaining wooden sheave towers in Ontario and one of the only remaining examples of early mechanical power transfer technology in Ontario.
- 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.**
 - YES – The property at 90 Old Mill Road is associated with pioneering settlers in Blair including Samuel D. Betzner, Joseph Bowman, Samuel B. Bowman, Allan Bowman, and Florence Dickson. In 1830 Joseph Bowman built a dam and sawmill on what became known as Bowman Creek (later Blair Creek). In 1846, Samuel B. Bowman built a four-storey flour mill on the south side of the wagon track (now Old Mill Road). In 1876, Allan Bowman built a small dam and the Sheave Tower downstream from the mill to draw energy from the creek and transfer it via large sheave wheels and a cable system to the Carlisle Mill. In 1906, the Sheave Tower property was severed from the Carlisle Mill property and sold to Florence Dickson. By 1954, the Sheave Tower was retired after having not been in use and no longer connected to the mill.

- 5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.**
- NO – The history of the property has been well documented and is not believed to yield, or have the potential to yield, additional information that could contribute to an understanding of a community or culture.
- 6. The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.**
- NO – The architect and builder of the Sheave Tower are unknown.
- 7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.**
- YES – The property maintains and supports the character of the area. Old Mill Road is a scenic rural road framed by well-treed properties and identified by narrow, winding sections. The property contributes to this character through a landscape of mature trees.
- 8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.**
- YES – The property at 90 Old Mill Road is historically linked to its surroundings through its connection to the Bowman's milling operations at the Carlisle Mill, now located at 91 Old Mill Road.
- 9. The property has contextual value because it is a landmark.**
- YES – The Sheave Tower is an easily identifiable structure well-known in the community for its unique design and wooded scenery. The Sheave Tower is also featured locally and regionally in numerous tourism publications.

Heritage Planning staff have determined that the property meets seven (7) of nine (9) of the criteria in *Ontario Regulation 9/06*. As such, it continues to meet the threshold for designation under Part IV of the *Ontario Heritage Act*. Heritage Planning staff recommend that the property's SCHVI be updated to reflect the property's evaluated physical/design value, historical/associative value, and contextual value. Further Heritage Planning recommend that the by-law subsequently be amended to reflect the updated SCHVI, correct the legal description, and ensure that the by-law is consistent with the current requirements of the *Ontario Heritage Act*. A full list of the property's cultural heritage attributes is included within the SCHVI found in Appendix B.

EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Amendment of designating by-law

30.1 (1) The council of a municipality may, by by-law, amend a by-law designating property made under section 29 and section 29 applies, with prescribed modifications, to an amending by-law. 2019, c. 9, Sched. 11, s. 8 (1).

Exception

(2) Despite subsection (1), subsections 29 (1) to (14) do not apply to an amending by-law if the only purpose or purposes of the amendments contained in the by-law are to do one or more of the following:

1. Clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes.
2. Correct the legal description of the property.
3. Otherwise revise the by-law to make it consistent with the requirements of this Act or the regulations, including revisions that would make a by-law passed before subsection 7 (6) of Schedule 11 to the *More Homes, More Choice Act, 2019* comes into force satisfy the requirements prescribed for the purposes of paragraph 2 of subsection 29 (8), if any. 2019, c. 9, Sched. 11, s. 8 (1).

Same

(3) If the council of a municipality proposes to make an amendment described in subsection (2), the council shall give the owner of the designated property written notice of the proposed amendment in accordance with subsection (4). 2005, c. 6, s. 19.

Content of notice

(4) A notice of a proposed amendment shall,

- (a) contain an explanation of the purpose and effect of the proposed amendment; and
- (b) inform the owner of the right to object to the proposed amendment by filing a notice of objection with the clerk of the municipality within 30 days of receiving the notice. 2005, c. 6, s. 19.

Consultation with committee

(5) The council of a municipality shall consult with its municipal heritage committee, if one has been established, before giving notice of a proposed amendment to the owner of property under subsection (3). 2005, c. 6, s. 19.

Objection

(6) The owner of a property who receives notice of a proposed amendment from a municipality under subsection (3) may, within 30 days of receiving notice of the amendment, file a notice of objection to the amendment with the clerk of the municipality setting out the reasons for the objection and all relevant facts. 2005, c. 6, s. 19.

Consideration of objection by council

(7) If a notice of objection is filed within the 30-day period under subsection (6), the council of the municipality shall consider the objection and make a decision whether or not to withdraw the notice of the proposed amendment within 90 days after the end of the 30-day period under subsection (6). 2019, c. 9, Sched. 11, s. 8 (2).

Notice of withdrawal

(8) If the council of the municipality decides to withdraw the notice of the proposed amendment, either on its own initiative at any time or after considering an objection under subsection (7), the council shall withdraw the notice by causing a notice of withdrawal,

(a) to be served on the owner of the property and on the Trust; and

(b) to be published in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 8 (2).

If no notice of objection or no withdrawal

(9) If no notice of objection is filed within the 30-day period under subsection (6) or a notice of objection is served within that period but the council decides not to withdraw the notice of the proposed amendment, the council may pass an amending by-law and if it does so, the council shall do the following:

1. Cause the following to be served on the owner of the property and on the Trust:

i. A copy of the amending by-law.

ii. A notice that if the owner of the property objects to the amending by-law, the owner may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality,

within 30 days after the date of the notice under this subparagraph, a notice of appeal setting out the objection to the amending by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

2. Publish notice of the amending by-law in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 8 (2); 2021, c. 4, Sched. 6, s. 74 (2).

Appeal to Tribunal

(10) If the owner of the property objects to the amending by-law, the owner may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of the notice under subparagraph 1 ii of subsection (9), a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal. 2019, c. 9, Sched. 11, s. 8 (2); 2021, c. 4, Sched. 6, s. 74 (2).

If no notice of appeal

(11) If no notice of appeal is given within the time period specified in subsection (10),

(a) the amending by-law comes into force on the day following the last day of the period; and

(b) the clerk shall ensure that a copy of the amending by-law is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered amending by-law is served on the Trust. 2019, c. 9, Sched. 11, s. 8 (2).

If notice of appeal

(12) If a notice of appeal is given within the time period specified in subsection (10), the Tribunal shall hold a hearing and, before holding the hearing, shall give notice of the hearing to such persons or bodies and in such manner as the Tribunal may determine. 2019, c. 9, Sched. 11, s. 8 (2).

Same

(13) If a notice of appeal is given within the time period specified in subsection (10), subsections 29(15) to (19) apply with necessary modifications. 2019, c.9, Sched. 11, s. 8(2).

Forwarding of record of decision

(14) If the council made a decision on the proposed amending by-law under subsection (7) and if a notice of appeal is given within the time period specified in subsection (10), the clerk of the municipality shall ensure that the record of the decision under

subsection (7) is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality. 2019, c. 9, Sched. 11, s. 8 (2).

Requirement to update old by-laws

(15) If the council of a municipality proposes to amend a by-law designating property made under section 29 that does not comply with requirements that are prescribed for the purposes of paragraph 2 of subsection 29 (8), if any, the council shall include in the amendment such changes as are necessary to ensure that the by-law satisfies those requirements. 2019, c. 9, Sched. 11, s. 8 (2).

Same, 2005 amendments

(16) If the council of a municipality proposes to amend a by-law designating property made under section 29 before the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent, the council shall include in the amendment such changes as are necessary to ensure that the by-law satisfies the requirements of section 29, as it read on the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent. 2019, c. 9, Sched. 11, s. 8 (2).

FINANCIAL IMPACT:

There are minor costs associated with providing public notice and registering the amended by-law on the property's title which will be funded via the approved 2025 Operating Budget. There are no other financial impacts to the City as a result of amending the designation by-law.

PUBLIC VALUE:

Transparency:

MHAC reports and meetings are open to the public.

ADVISORY COMMITTEE INPUT:

The MHAC was consulted on April 17, 2025, through Report 24-017 (MHAC) and was provided with Heritage Planning staff's recommendations as presented in this report. MHAC passed the following recommendations to Council:

THAT Report 25-017 (MHAC): 90 Old Mill Road, By-law Amendment, be received;

AND FURTHER THAT the Municipal Heritage Advisory Committee supports the staff recommendation to amend the designation by-law for 90 Old Mill Road (Sheave Tower) in accordance with the updated Statement of Cultural Heritage Value or Interest, attached as Appendix B.

PUBLIC INPUT:

Posted publicly as part of the report process.

Meetings of Council are open to the public via the City's YouTube channel.

INTERNAL / EXTERNAL CONSULTATION:

Heritage Planning have been in discussions with the property owner during the writing of this report. Heritage Planning staff have also liaised with staff from Legal Services and Realty Services in writing this report.

CONCLUSION:

For the reasons outlined in this report, Heritage Planning staff recommend that Council support the contents of the updated SCHVI and approve the amendment of the designation by-law for 90 Old Mill Road (Sheave Tower) under Part IV of the *Ontario Heritage Act*.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 25-065-CD Appendix A – Combined Designation By-laws

2. 25-065-CD Appendix B – Statement of Cultural Heritage Value or Interest