

# THE CORPORATION OF THE TOWN OF MIDLAND

## BY-LAW 2010-95

Being a By-law to designate the Drummond Estate Wall  
Pursuant to the *Ontario Heritage Act*

**WHEREAS** Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.18, as amended, authorizes the Council of a Municipality to enact a By-law to designate real property including all buildings and structures thereon, to be of cultural heritage value or interest;

**AND WHEREAS** the Council of the Corporation of the Town of Midland (the "Town") has caused to be served on the owners of the lands and premises known as Part of Lots 111 & 112, Concession 2 (Registered Plan 69), Township of Tay, now Town of Midland, County of Simcoe and more particularly described as Part 1, Reference Plan 51R- 30323, having a municipal address of 353 Fuller Avenue and known as the Drummond Estate Wall in the Town of Midland and upon the Ontario Heritage Trust, a Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in a newspaper having general circulation in the Town;

**AND WHEREAS** a Notice of Objection to the proposed designation has been served on the Clerk of the Town and subsequently withdrawn;

**AND WHEREAS** this By-law is to be registered in the proper Land Registry Office with respect to the property described in Schedule "A" attached hereto.

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:**

1. That the lands known as Part of Lots 111 & 112, Concession 2 (Registered Plan 69), Township of Tay, now Town of Midland, County of Simcoe and more particularly described as Part 1, Reference Plan 51R-37570 and known as the Drummond Estate Wall, and more particularly described in Schedule "A" attached hereto and forming part of this By-law, is hereby designated as being of cultural heritage value and interest as described in the "Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes" as set out in Schedule "B" attached hereto and forming part of this By-law.
2. That 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 having general circulation in the Town.

3. That the Clerk is hereby instructed to register a copy of this By-law on the title of the subject lands in the proper Land Registry Office.
4. That this By-law shall come into full force and effect on the final passage thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18<sup>TH</sup> DAY OF OCTOBER, 2010.**

**THE CORPORATION OF THE TOWN OF MIDLAND**

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**MAYOR**

\_\_\_\_\_  
**CLERK**

**Schedule "A" to By-Law 2010-95**

**LEGAL DESCRIPTION**

Being Part of Lots 111 & 112, Concession 2 (Registered Plan 69), Township  
of Tay, now Town of Midland, County of Simcoe and more particularly  
described as

Part 1, Reference Plan 51R-37570

Being part of 58452-0404

## Schedule “B” to By-law 2010-95

### SHORT STATEMENT OF THE REASON FOR DESIGNATION OF THE DRUMMOND ESTATE WALL

The Drummond Estate Wall, located at 353 Fuller Avenue, is worthy of designation under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest. The property meets the criteria prescribed by the Province of Ontario under the three categories of design or physical value, historical or associative value and contextual value.

The Drummond Estate, including the estate wall, was constructed between 1890 and 1901 by John Drummond. The wall, which stretched across the front edge and two sides of the property known as “Georgian Lodge,” was constructed as both a fence and retaining wall. The wall is the only remaining component of the original estate which was destroyed by fire in June of 1980.

The design and physical value of the wall is attributed to the different building techniques used during construction. The columns and north wall have been constructed in a common style, using mortar to set stones firmly in place. The west and south portions of the wall have been constructed in a less common style known as ‘dry wall.’ This style does not make use of mortar, relying on balancing and leaning individual stones to create the wall.

The wall’s association with the Drummond family also contributes to its cultural heritage value. The Drummond Family operated a steel mill and foundry, the “Canada Iron and Furnace Company”, on the shores of Georgian Bay at Midland offering employment to many local residents. Kevin Stewart Drummond, the youngest of John Drummond’s sons, completed a three year degree at McGill University before becoming part of the steel business in 1912. Drummond enlisted in the army in 1916 to fight in World War I, contributing to the ultimate decision to sell the business that same year to a consortium lead by local businessman James Playfair. Lieutenant Kevin Stewart Drummond. “K.S.” Drummond was born in Montreal, Quebec on May 21, 1890, but grew up in Midland. Drummond enlisted with the 76<sup>th</sup> Battalion from Barrie at the onset of World War I and went on to serve overseas with the 24<sup>th</sup> Battalion Victoria Rifles, Montreal. Drummond was wounded April 9, 1917 at Vimy Ridge, for which he was awarded the military cross. Drummond was killed August 8, 1918 and buried in France.

Though the estate itself has been destroyed, the wall that surrounds the property continues to help define and maintain the character of the area and provide a direct link to its important past in the history of Midland. The wall is historically linked to its surroundings, as the only remaining part of the “Georgian Lodge”. Visible from Fuller Avenue, the wall has also become a landmark for residents of the area.

### DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY

The Drummond Estate Wall has significant heritage contextual value. As described in CULTURAL HERITAGE ASSESSMENT report by Wendy Shearer

Landscape Architect, November 4, 2008 *“the length, the pedestrian and vehicular entrances, the “Georgian Lodge” gate and posts, the use of local field stone and quarried granite with high decorative mortar joints are linked to the specific setting of the Drummond property. The former Drummond Estate wall has contextual values since it contributes to the appreciation of its setting and because it is a rare example of a dry laid granite wall with ornamental mortared pillars. It is a landmark in the community.”*

To ensure that the cultural heritage value of this property is conserved, certain heritage attributes that contribute to its value have been identified specifically and they are:

Design / Physical Value:

- Unique dry stone walling construction method to the area;
- High degree of craftsmanship, especially in the construction of the dry stone walled portion of the wall.

Historical / Associative Value:

- Direct association with the Drummond family and the Canada Iron and Furnace Company.

Contextual Value:

- Defines and links the character of the area to the past;
- Physically and historically linked to its surroundings.

## GENERAL PROPERTY AND FEATURE DESCRIPTION

The former Drummond Estate located at Part of Lots 111 & 112, Concession 2 (Registered Plan 69), Township of Tay, now Town of Midland, County of Simcoe and having a municipal address of 353 Fuller Avenue consists now of only the original stone wall.

The wall is approximately one hundred thirty-five meters (135m) in length along the east side of Fuller Avenue, with the north return into the property being about forty-four metres (44m) and the south return into the property being approximately one hundred and thirty-five metres (135m) and a total length of approximately 314 metres. The wall consists of three gates and two distinct construction methods. The columns and small portions of the north and west wall at its northern corner have been constructed in a common style, using mortar to secure stones in place. The majority of the walls construction reflects a less common style known as ‘dry stone wall’. Dry stone walling technique is described in the Shearer (2008) report,:

*The remaining sections of the wall both along Fuller Avenue and two sections which extend into the property are dry laid, where stones are placed without the benefit of mortar. These walls are held in place with gravity and the skill of the stone waller who stacked and positioned the individual stones.*

*The stone waller follows a traditional construction methodology whether building with granite or limestone. The stones are placed on a firm*

*foundation of large stones. The base of the wall is wider than the top of the wall with sloped wall faces to shed water. Historically, wall height was determined by the type of livestock – cattle, horse, sheep or even the breed of sheep that were to be contained by the wall. The height of the Drummond wall varies from 1m to 1.5m because of the topography and its ornamental rather than functional purpose.*

*Depending on the height of the wall, at the mid-point, a course of through stones was added to join both the wall front and back course together. The interior of the stone wall was filled with small stones which prevented settling of the outside stones. Typically because of the weight of stones involved, the largest stones were placed at the bottom of the wall and small stones placed above. Small flat stones were added, “chinking in” to keep the courses level. The rule of thumb was “one or two”. Each stone added to the wall was placed so that it touched at least 2 of the lower course. This insured there were no continuous joints and increased the stability of the wall. The top of the wall was typically completed with a row of coping stone which prevented water infiltration. There is no coping on the dry laid sections of the Drummond wall. They may have been removed in the past at some point or they were never added.*

*Despite having no coping, the Drummond wall is an excellent example of this traditional wall construction technique. First the dry laid sections are approximately 1m wide at the base and 600mm wide at the top.*

*The granite “field stone” has not been dressed (worked into block shapes) but rather selected and placed by eye and still to advance the wall and have it remain secure. Flat stones and rounder boulders are integrated to create a random pattern in shape and colour. In the case of the Drummond wall, it acts both as a decorative fence and a retaining wall since in many areas the grade behind the wall is higher than the front elevation.*

The wall fronts onto Fuller Avenue with three distinct gates. The south gate, crafted from wrought iron, served as the main entrance into the estate and is comprised of three stone and mortar pillars. The adjoining columns of the south gate are embossed with “Georgian” and “Estate,” the name given to the property by owner John Drummond. The second gate, comprised of two stone and mortar pillars, is much smaller than the first but is also crafted with wrought iron and was intended as the pedestrian access gate. Behind this gate are four stone steps that lead to the path that accessed the Georgian Estate. The north gate, crafted from wood and composed of three stone and mortar pillars, is much larger and less extravagant than the other gates. This suggests this gate was intended as the service gate.