

REPLY WITNESS STATEMENT OF BRENDAN STEWART

**Case Nos. CRB 1824
CRB 1825**

CONSERVATION REVIEW BOARD

PROCEEDING COMMENCED UNDER subsection 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, as amended

Owner: Solmar (Niagara 2) Inc.
Objector: Two Sisters Resorts Corp.
Subject: Notice of Intention to Designate
Property Address: 200 John Street East
Legal Description: Lot 145 RCP 692 Niagara Except Pt 1 to 9 30R8436
Municipality: Town of Niagara-on-the-Lake
CRB Case No. CRB 1824
CRB Case Name: Two Sisters Resorts Corp. v. Niagara-on-the-Lake (Town)

PROCEEDING COMMENCED UNDER subsection 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, as amended

Owner: Solmar (Niagara 2) Inc.
Objector: Two Sisters Resorts Corp.
Subject: Notice of Intention to Designate
Property Address: 588 Charlotte Street
Legal Description: Lot 156 RCP 692 Niagara; Part Lot 145 RCP 692 Niagara Part 1 to 9, 30R8436; S/T RO718339, S/T RO413742, T/W RO413742 (PT 13,30R1792 Except Pt 5, 30R8436)
Municipality: Town of Niagara-on-the-Lake
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August 6, 2021

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1. INTRODUCTION

- 1.1. I prepared a Witness Statement dated June 28th 2021 on behalf of SORE. I have now reviewed the Witness Statements of David Waverman and Michael Ormston-Holloway regarding cultural heritage. My response to the Witness Statements of David Waverman and Michael Ormston-Holloway is below, and the opinions expressed in my Witness Statement remain unchanged.

2. THE MAIN WALK'S CHRONOLOGY AND DESIGN TREATMENT

- 2.1. In paragraph 95aⁱⁱⁱ, Mr. Waverman states:

“It is my professional opinion that the walkway, as it is understood from aerial images and extant conditions, did not contain elements that were common to Dunington-Grubb treatments of walkways, including using deliberate flagstone paving, and frequently lining walks with symmetrical borders of lawn, shrubs or hedging and low garden walls. The lack of treatment of the “main walk” seems incongruous with the typical formal, deliberate, and elegant Dunington-Grubb designs, suggesting that it pre-dated their designs for the pool area.

- 2.2. I agree that the Main Walk originates prior to the Dunington-Grubb's design for the pool area, understood to date to 1928, however, this fact does not preclude their hand in the overall design of what I refer to as the 'Main Walk Axis'. As I discuss in my Witness Statement (see paragraphs 6.16 – 6.19 and section 8), I understand the Main Walk to be an important organizing element of the landscape of the Rand Estate, linking the Main House to the Whistle Stop and rail line at the rear (south) of the estate, providing a direct link to Buffalo, and an organizing feature that a series of garden rooms were established along over time.
- 2.3. Given that the rail line offered passenger service starting in the 19th century, it is plausible that an informal path linked the rear of the Rand House to the rail line prior to the Rand's occupation of the property — what is sometimes referred to as a 'desire line': an obvious, direct route linking two existing features — and that because of the importance of this connection, the path was formalized over time, giving structure to a larger designed landscape organized along its length.

- 2.4. It is possible that the importance of this route was understood by the Rands prior to the involvement of any professional designers, and that they requested its further development, rather than it having necessarily been proposed by others. Either way, the origins and exact chronology of the development of the route do not diminish the cultural heritage value or interest of the Main Walk, in my view. In fact, in my experience it is nearly always the case that landscape architects work with existing site features, when the retention and enhancement of these features align with larger project goals and site opportunities and constraints. I would suggest that in evaluating design authorship, especially in landscape architecture, the decision to work with (enhance and/or incorporate) an existing feature is as much a cultural act as establishing a feature from 'scratch'.
- 2.5. As I outline in my Witness Statement, the Main Walk Axis, a designed landscape featuring a series of garden rooms organized along the Main Walk, which is first evident as a holistic composition as early as 1931 through aerial photography, is clearly the work of a professional designer. Given that it was developed during the period when Dunnington-Grubb is known to have been consulting for the Rand's, and that its overall geometrical composition and inclusion of repeating elements and treatments are representative of their larger design oeuvre, it is highly probable that it was designed by Dunnington-Grubb.
- 2.6. Additionally, I disagree with Mr. Waverman's assertion that the lack of flagstone, symmetrical planting treatments, and low garden walls along the Main Walk suggests incongruity with the work of Dunnington-Grubb.
- 2.7. As I discuss in paragraphs 7.14 - 7.15 of my Witness Statement, Dunnington-Grubb is known to have employed an approach to landscape design that represented a fusion of several contemporary and historical design styles. While many of their most photographed and best-known works represent formal gardens that typically feature symmetrical layouts, layered ornamental plantings, and the use of low terraced garden walls, in the case of larger country estate properties, formal gardens were typically clustered nearest to the house, often accompanied with or surrounded by naturalistic or less formal landscapes.
- 2.8. The following quote, from an article about their work at Parkwood in Oshawa, but descriptive of their overall design approach, references Thomas Mawson, a direct influence of Dunnington-Grubb, and helps to illustrate:

“Mawson approvingly noted Repton’s principle that called for ‘formality near the house merging into the natural by degrees, so as to attach the house by imperceptible gradations to the general landscape’. An interest in this Reptonian tradition was often eclectically mixed in the late 19th and early 20th centuries with an interest in the terraces, enclosed spaces and clipped hedges of formal Italian gardens. While apparently antithetical, no anomaly was seen in landscape design which blended these two traditions. The Dunnington-Grubbs must be seen as heirs of this interest in formal gardens, within the context of the English landscape style, and as skilled practitioners of a mainstream approach to design which fused both traditions”¹.

- 2.9. The use of formal gardens blending into more naturalistic landscapes at Randwood is observable in the northern portion of the Rand Estate. A 2010 HIA prepared by Ecoplans Limited and Nexus Architects, in support of a hotel and conference centre proposal known as the ‘Romance Inn’, describes this treatment as follows:

“Beyond the long entry way, with the linear structure and sculptural elements, the formality of the garden relaxes into softly curving drives and meandering pathways”².

- 2.10. This pattern of formal blending into informal can also be seen in the southern portions of the Rand Estate on 200 John Street East and 588 Charlotte Street. I have outlined that the Main Walk can be understood as having two distinct characters, the northern portion, closest to the Main House, designed with a formal estate garden character, and the southern portion, toward the perimeter of the estate, with a less formal agricultural character, defined by orchards and fields, with the Circular Mound Garden marking a transition between these two portions roughly at the mid-point. In my view, this is entirely in keeping with this larger estate design principle of formality near the house and informality toward the edges that Dunnington-Grubb is known to have employed.

- 2.11. I would note that the southern, informal portion of the Main Walk can also be understood in relation to the Model Farm aspect of the Estate, and that I would understand the agricultural character as a deliberate feature of the experience of this portion of the Main Walk; part of its charm as opposed to a shortcoming. I would suggest that a more formal and grandiose treatment here, featuring walls, lawns, and symmetrical plantings, would in fact have competed with the orchards and fields, important in their own right, and detracted from the overall design, in addition to working against the principle

cited above of formality near the house transitioning to informality at the edges.

- 2.12. Finally, Mr. Waverman states that gravel was not commonly used by Dunington-Grubb as a pavement, and that he would expect to see flagstone used along the Main Walk if it were a Dunington-Grubb designed element. In response, I would indicate that Dunington-Grubb used gravel as a pathway pavement within the Swimming Pool Garden at Randwood (refer to the 1928 construction drawing by Dunington-Grubb (image A28 in my Witness Statement) which includes the label 'gravel walk'), as well as in the pathways of the formal Sunken Garden at 176 John Street (refer figure 1 below).
- 2.13. Additionally, gravel has a long history of use as an elegant garden pathway material in the English landscape tradition, valued for its permeability, accessibility (ease of walking / riding on it) ease of maintenance, relative affordability, and for the sound it makes underfoot. While many Dunington-Grubb designed formal gardens do indeed use stone as a pavement, they are known to have used gravel frequently also.
- 2.14. Further to the additional two instances where they are known to have used it at Randwood, a 1918 publication by the Rose Society of Ontario³ features several residential garden plans attributed to Dunington-Grubb that each use gravel as the primary pavement (see figures 2 and 3 below). Given these examples, I disagree with Mr. Waverman's opinion that the use of gravel is evidence that Dunington-Grubb would not have been involved with the design of the Main Walk.



*A sunken garden, at Niagara, recently executed by us for the late George F. Rand, Esq.
Designed by H. B. and L. A. Dunington-Grubb, Landscape Architects, Toronto
By Courtesy of Mr. Geo. F. Rand Jr.*

Figure 1 – image of gravel path within Sunken Garden at 176 John Street, featured in 1931 Sheridan Nurseries catalogue⁴.

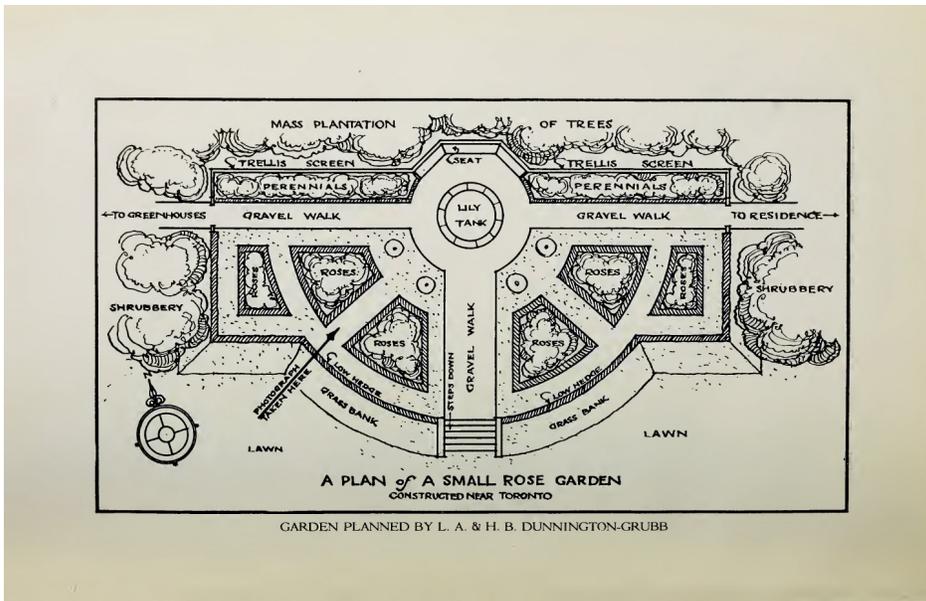
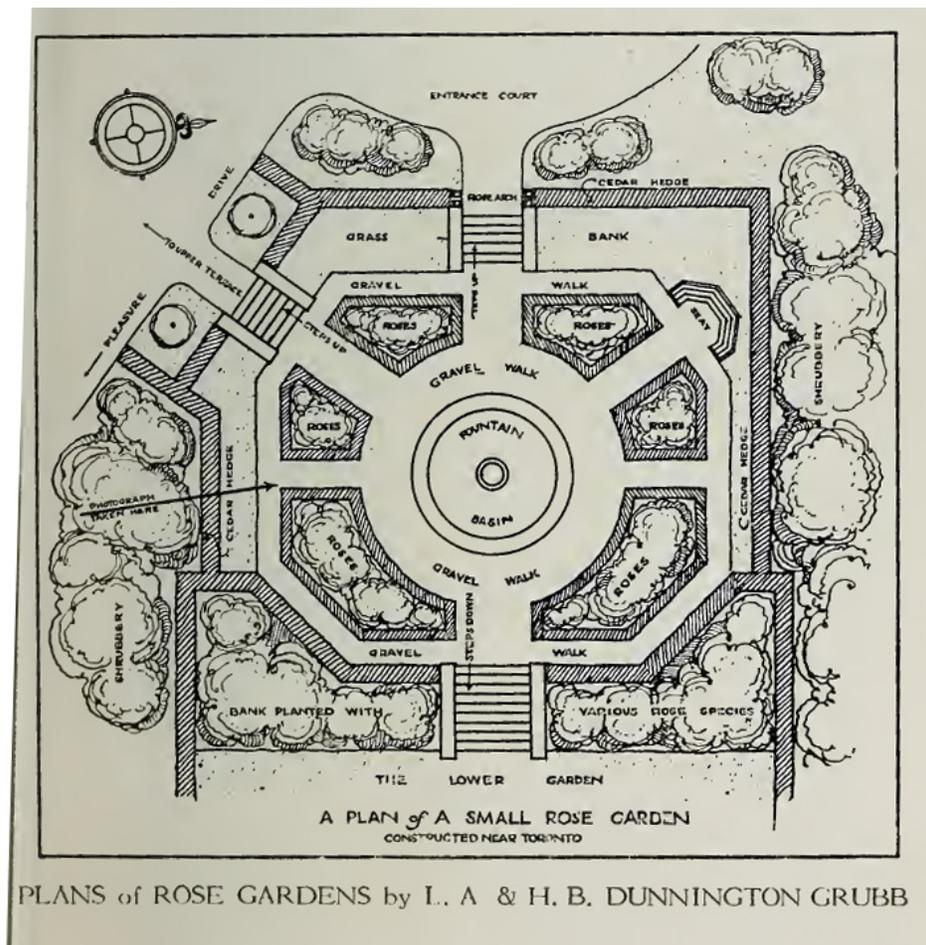


Figure 2 (above) and 3 (below) – images of Dunnington-Grubb designed rose gardens featuring gravel paths⁵



3. TREES AT 200 JOHN STREET EAST AND 588 CHARLOTTE STREET

- 3.1. Regarding the trees in the linear strip (or 'panhandle') of 200 John Street East, Mr. Waverman states in his Witness Statement (par. 75ai2-5) that:
 - 3.1.1. "Approximately 26% of the trees are a hundred years and older which could possibly be preceding the Rand family and Dunington-Grubb era.
 - 3.1.2. Our research disclosed a Lansing photograph of an already heavily planted area in the frontage of the Randwood Estate.
 - 3.1.3. We have gained understandings from articles written by Howard Dunington-Grubb that illustrate that he believed in expansive lawn areas in front of a house.
 - 3.1.4. Had Howard Dunington-Grubb been involved, he would not have directed the planting of large growing trees in this area as his belief that *breadth and space is created by ample lawns with plantations kept to the boundaries.*"
- 3.2. A 1933 article by Howard Dunington-Grubb, called 'The Country Estate', includes the following guidance:
 - 3.2.1. "The majority of people are greatly influenced by the presence of existing trees on a property. Undoubtedly well-grown and well-placed trees are an inestimable asset. They should provide background and setting for the house, protection from wind, and may furnish the entire estate with an atmosphere of mystery and romance. Too many, or badly placed trees, however, may become more of a liability than an asset. A house placed in the middle of a dense forest is neither healthy nor pleasant to live in, and gardening under such conditions is almost impossible. An attempt to save badly placed trees often results in an inconvenient house, an extravagant arrangement of the grounds and the sacrifice of effective treatment. It is often more economical and advantageous to plant a few large trees in the right positions on bare property than to attempt to clear a forest".
- 3.3. I agree with Mr. Waverman that many of the trees that define the 'shady open grove' at the northern portion of the estate, on 144, 176 and 200 John Street East pre-date the period when Dunington-Grubb commenced their

work on the estate, but disagree with his conclusion that these trees are not associated with the Dunington-Grubb design of this portion of the estate.

- 3.4. Two 1905 images (see image A1 and A8 in my Witness Statement) show the creek running through an open clearing in front of the Rand estate house, bounded on both sides by what appears to be a dense, forested condition. Image A2 in my Witness Statement, shows the Dunington-Grubb designed Sunken Garden within this pre-existing clearing in 1930. Surrounding the garden are mature canopy trees in an open lawn.
- 3.5. My interpretation of these photographs, and of subsequent photographs of this part of the estate, is that work was undertaken prior to 1930 to remove understory plant materials, and to establish an undulating lawn under existing mature canopy trees, converting what had been a woodland condition surrounding the house, into what I refer to as a 'shady open grove', that defines the northern portion of the estate. This condition has been maintained over time, and remains extant today.
- 3.6. The evidence suggests to me that the establishment of the shady open grove condition would have been suggested by Dunington-Grubb as part of the design of the Sunken Garden, in order to maintain adequate light for the gardens, to establish an arrival zone and setting for the Main House in the English landscape tradition that they worked with, and as a strategy to ensure that the existing trees, highly valued for shade during the hot summer months in NOTL, served as an asset rather than a liability.
- 3.7. Building on my contention in paragraph 2.4 above, landscape architects are trained to work carefully with existing features and to incorporate and enhance them when doing so would support larger project goals and objectives.
- 3.8. The incorporation of existing trees into a design — in this case through their conversion into a shady open grove — is best understood as part of the design itself, not something separate. I would therefore suggest that the mature trees in this portion of the estate, including those within the 200 John Street East panhandle, are best understood as elements of the Dunington-Grubb design.
- 3.9. In his Witness Statement, Michael Ormston-Holloway indicates that two pinecones were found in the area of the Circular Mound Garden during a site visit conducted by The Planning Partnership on July 8th and 9th, 2020 (see chart on page 9). Mr. Ormston-Holloway also concludes, from his analysis of

aerial photographs and a 2010 Willowbank site photo, that he believes that this garden featured both Austrian Pine (*Pinus nigra*) and Eastern Hemlock (*Tsuga canadensis*). I would note that his conclusions align with my own, and that the found pinecones further reinforce my opinion.

- 3.10. On page 12 of his Witness Statement, Mr. Ormston-Holloway provides a chart listing trees at 588 Charlotte Street that he believes possess contextual cultural heritage value. He lists four White Oaks (White Oak 1-4) and a Red Oak, all of which he suggests are over 100 years of age, and concludes that each “was likely embraced, augmented and designed around by the Dunington-Grubbs’.
- 3.11. Mr. Ormston-Holloway’s arboricultural assessment aligns with my landscape architectural conclusions about these trees. I would note that ERA’s proposed attributes for 588 Charlotte Street (appended to my Witness Statement) included: “the mature trees along the access route from Charlotte Street and along the former rail corridor, which appear to date from the 19th Century”. My witness statement (paragraph 9.16) refers to four White Oak trees and concludes that they possess “cultural value as their survival suggests that they’ve been valued and incorporated throughout the history of the Rand Estate and likely well before”.

4. SOURCES RELIED UPON

Ecoplans Ltd. And Nexus Architects.

2010. *Randwood: The Romance Property. Heritage Impact Assessment Report.*

¹ Hunter, Robert. 1990. “The Design Work of H.B and L.A. Dunington-Grubb at Parkwood, Oshawa” in *Canadian Horticultural History* 2(3). pp. 137.

² Ecoplans Ltd and Nexus Architects. May 2010. “Randwood: The Romance Property. Heritage Impact Assessment Report. P 10.

³ The Rose Society of Ontario. 1918. “Annual of The Rose Society of Ontario, 1918”. The Bryant Press. Toronto.

⁴ Sheridan Nurseries Catalogue, 1931.

⁵ The Rose Society of Ontario. 1918. “Annual of The Rose Society of Ontario, 1918”. The Bryant Press. Toronto. Pp. 36 and 63.