

**From:** Kenneth Westhues

**Sent:** 28 August 2019 10:17

**To:** Ken Todd; Jim Diodati; CouncilMembers; Bill Matson

**Cc:** Alex Herlovitch; LegalServices; Donna Jaques; Gerald Spencer; Andrew Bryce

**Subject:** Reaffirming request to address Council on 10 September

Dear Mr. Matson, Mr. Todd, Mayor Diodati and Councillors,

This is to reaffirm my request two days ago to address Council briefly at its meeting of 10 September, with regard to the multi-building motel and restaurant John Pinter has been operating illegally for more than two years in this neighbourhood. As I wrote two days ago, I will ask Council to direct Mr. Todd to obtain immediate compliance with By-law 2015-51 and report back to Council on 1 October. Council has the authority to give such direction.

I acknowledge with thanks receipt of Mr. Todd's email yesterday, confirming his knowledge of the illegal commercial uses to which Mr. Pinter is putting numerous properties that are zoned residential. Mr. Todd defends the city's lack of enforcement of relevant by-laws in Mr. Pinter's case, on grounds that Mr. Pinter is actively working to change the by-laws so as to legalize the illegal business he currently runs.

Mr. Todd's reasoning in this instance is unsound. We should all be grateful to live in a country where no lawbreaker is exempt from enforcement of a law, on grounds that the lawbreaker wants the law to be changed. Mr. Todd's reasoning is just an excuse for the preferential treatment given to Mr. Pinter for the past 27 months, ever since eight residents impacted by his illegal commercial enterprise filed formal complaints.

Mr. Todd informs us that Mr. Pinter is preparing an application for rezoning. My request to address Council on 10 September does not concern any such application, which I have only now learned of, and which should of course be handled in the normal way. Given a likely appeal to LPAT, a final decision on such a rezoning application would be at least a year in the future. The question is what to do in the interim. I propose to ask Council to end the favouritism and to direct Mr. Todd to enforce current by-laws, in particular By-law 2015-51. This is not premature, as Mr. Todd asserts. It is overdue.

Respect, thanks, best wishes to all,

Ken Westhues

5419 River Road

Niagara Falls, Ontario L2E 3H1

<http://www.niagarariverroad.ca>