

SENT AS EMAIL ATTACHMENT, kwesthue@uwaterloo.ca to aherlovitch@niagarafalls.ca

Mr. Alex Herlovitch
Director of Planning, Building, & Development
City of Niagara Falls, Ontario

Further inquiry: meeting venue, bedrooms, parking at Niagara Grandview Manor

Dear Mr. Herlovitch:

Thank you for your prompt attention to my inquiry of 7 May 2021 about apparent misrepresentation of ownership of the main property and false information about mortgages in the revised OPA and ZBA application of 22 April 2021 for Niagara Grandview Manor. I understand from your reply email that based on your independent review of the relevant provincial records, you reached the same conclusion as I did, that the applicant provided false information in the revised application.

It is imperative that complete and accurate information be made available to Council and the public as soon as possible, since the date for the public meeting and Council's decision on this matter, 1 June 2021, is less than three weeks away.

I want to request up-to-date, accurate information on three other aspects of the application. Especially for the main property, 5359 River Road, it needs to be clear to all concerned what kind of business the Official Plan allows and what kind of business the applicant is currently operating – or will be able to operate once construction projects already approved are complete and pandemic restrictions are lifted.

Meeting and events venue

Thank you for adding to the Dropbox File drawings of the three-storey addition to the inn that you approved on your own authority on 18 June 2019 and that has been built this past winter. I understand this is for meeting rooms. The Official Plan says nothing about use of this property for meetings or events. The website for the inn currently advertises three meeting rooms with a combined capacity of 44 people: (1) "Eastwood," 392 sq. ft.; (2) "River View," 240 sq. ft.; and (3) "Grand View," 456 sq. ft.

I would ask that you add to the Dropbox File up-to-date floor plans that show whether the meeting rooms advertised are the same as the ones in the addition you approved, or whether the latter will be additional meeting rooms. Council and the public also need to know whether the inn allows people not lodging there to hold meetings there, and if so, where they park their cars.

Number of bedrooms

I would ask you to confirm that what the Official Plan (Section 13.32) allows for 5359 River Road is "an inn containing up to 12 rentable bedrooms for tourists and 1 bedroom for an innkeeper or manager"?

This provision of the Official Plan is clear in the text on the city's website. It coincides with what Planning Staff recommended in 2015, "that the amendment clarify that 12 of the bedrooms are for tourists and one is for the on-site innkeeper/owner." It coincides also with my recollection of what Council approved at that time, when Anne and I supported the amendment.

Mr. Matson, however, wrote in an email to me on 15 March 2021 that Council “granted approval for a Tourist Establishment with a maximum of 19 rooms.” I replied that this was untrue. Mr. Matson said he would forward my email to “Planning and Enforcement Services Staff.” Nobody got back to me.

The notice you circulated for the upcoming public meeting refers to “a maximum of 12 guest rooms” – which on first reading seems the same as what the Official Plan says. It is not. The term “guest room,” as defined in a municipal by-law in 2018, may include multiple bedrooms. Substituting “guest room” for *bedroom* doubles the allowable size of the inn to 24 bedrooms, twice what the Official Plan allows.

The owner appears to have wrongly made this substitution, and city staff didn’t notice. The inn currently advertises “17 luxury rooms and suite” and “17 room villa sleeps 40.” It says the inn’s “garden level suite” consists of one bedroom with a king bed, another bedroom with two queen beds, two full ensuite baths, and two free parking spots. By the city’s definitions, this is one guest room, even though it has two bedrooms. What the Official Plan allows for this inn is 12 bedrooms, not 12 guest rooms.

I would ask that you add to the Dropbox File the undated floor plans you sent Dr. Ken Crossman and also the most recent floor plans, so that anybody interested is able to count the bedrooms and guest rooms, and see what the size of this tourist establishment actually is, compared to what the Official Plan allows.

Parking lot and green space

A “redline revision” drawing added last week to the Dropbox File, dated April 2019, shows the parking layout for 5359 River Road, but the actual parking lot is much larger. As any passerby can see, the area along River Lane shown in the drawing as grass, shrubs, and trees has been paved, so that nearly all the area from the building to the lane is now a paved parking lot. There are two rows of parking spots, not one. Cars enter both from River Lane and from Eastwood Crescent.

Drawings in the Dropbox File should not show green space that no longer exists. I would ask that up-to-date, accurate drawings be added, along with information about the number and size of the trees that have been cut down to create parking spots.

Conclusion

I appreciate your thanking me for drawing the misrepresentation of ownership to your attention. I regret bothering you with this further inquiry about meeting rooms, bedrooms, and parking. I trust you agree on the importance of Council and the public being provided with all information pertinent to OPA and ZBA applications, and that the information be truthful and up-to-date.

Respect and kind regards,



Kenneth Westhues
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