



Letter: Disagree with both stances on Parliament Oak hotel

July 20, 2023

Dear editor:

First of all, regarding The Lake Report's July 13 about the "[councillor not surprised](#)" at the "ruling" against the town's loss at the Ontario Land Tribunal, let's be perfectly clear:

The town did not receive compensation for its legal expenses but it did not lose the appeal by Benny Marotta's companies of the designation under the Ontario Heritage Act.

The four properties comprising the Rand Estate are designated under the Ontario Heritage Act. Period. Full stop.

Moreover, despite all the appeals to the various iterations of the OMB/tribunals in the past six years by Mr. Marotta's companies with respect to the Rand Estate, not one has been successful.

It is sad that moneyed developers such as Mr. Marotta can effectively get away with bullying municipal governments by bringing appeals of town decisions to the land tribunal without facing financial repercussions when withdrawing at the last minute.

I've lost count of how many appeals have been made and withdrawn on this property, but it is a failing of the provincial system and governance, not our local municipality.

We do know that Mr. Marotta's simultaneous court challenge against the Town of Niagara-on-the-Lake with respect to the legitimacy of the heritage designating bylaws was rejected and resulted in Mr. Marotta having to pay substantial court costs to the town and SORE.

Now then, regarding your opposing op-ed views on the Parliament Oak hotel proposal ("[A hotel is only option to preserve public access](#)" and "[Proposal is simply not appropriate for the location](#)"), we are of the opinion that you are both wrong.

Aside from the historic context of the site there is one inescapable fact: the site is zoned institutional or community use depending which version of the official plan you wish to consult.

It has been determined by the most recent and prior iterations of town council in planning for the future of our town that the property is needed for a "public space" and has been publicly identified as such for years.

Just because a moneyed individual or corporation pays \$8 million for the property to build a hotel, or subdivision or roller coaster or whatever, knowing full well the property is zoned institutional/community use, should they have the right to overturn the will of the people as expressed by their government?

Maybe some wealthy developers can get away with buying Greenbelt land with the expectation the province will change it to allow development or Hwy. 413 highway lands, but we would hope our local municipal government would be more ethical and accountable than the current provincial regime.

With respect to Parliament Oak, the answer must simply be “No.”

The property is zoned institutional/community use and if you don't want to build what is allowed and needed by the town, you shouldn't have bought it.

Perhaps the town should expropriate the site for the value of the property as currently zoned and contract with an ethical builder to create a useful community space or institution of benefit to NOTL on a scale and design appropriate to the neighbourhood and complementary to the quaint village atmosphere of Niagara-on-the-Lake that visitors find so attractive.

Bob and Irene Bader
NOTL