

Adopted by Council at its meeting held November 16, 2015 [M463-2015]
/AC
Windsor, Ontario November 16, 2015

REPORT NO. 305 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held October 21, 2015

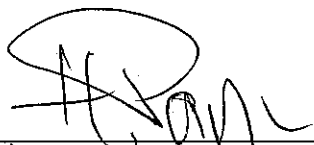
Present: Councillor Fred Francis
Councillor Chris Holt
Councillor Hilary Payne (Vice Chair)
Councillor Paul Borrelli

Regrets: Councillor Bill Marra

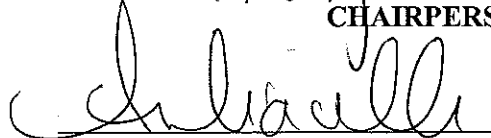
That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Francis, seconded by Councillor Borrelli,
That the minutes of the Committee of Revision meeting held July 30, 2015 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the Committee of Revision meeting held July 30, 2015 are attached as background information.

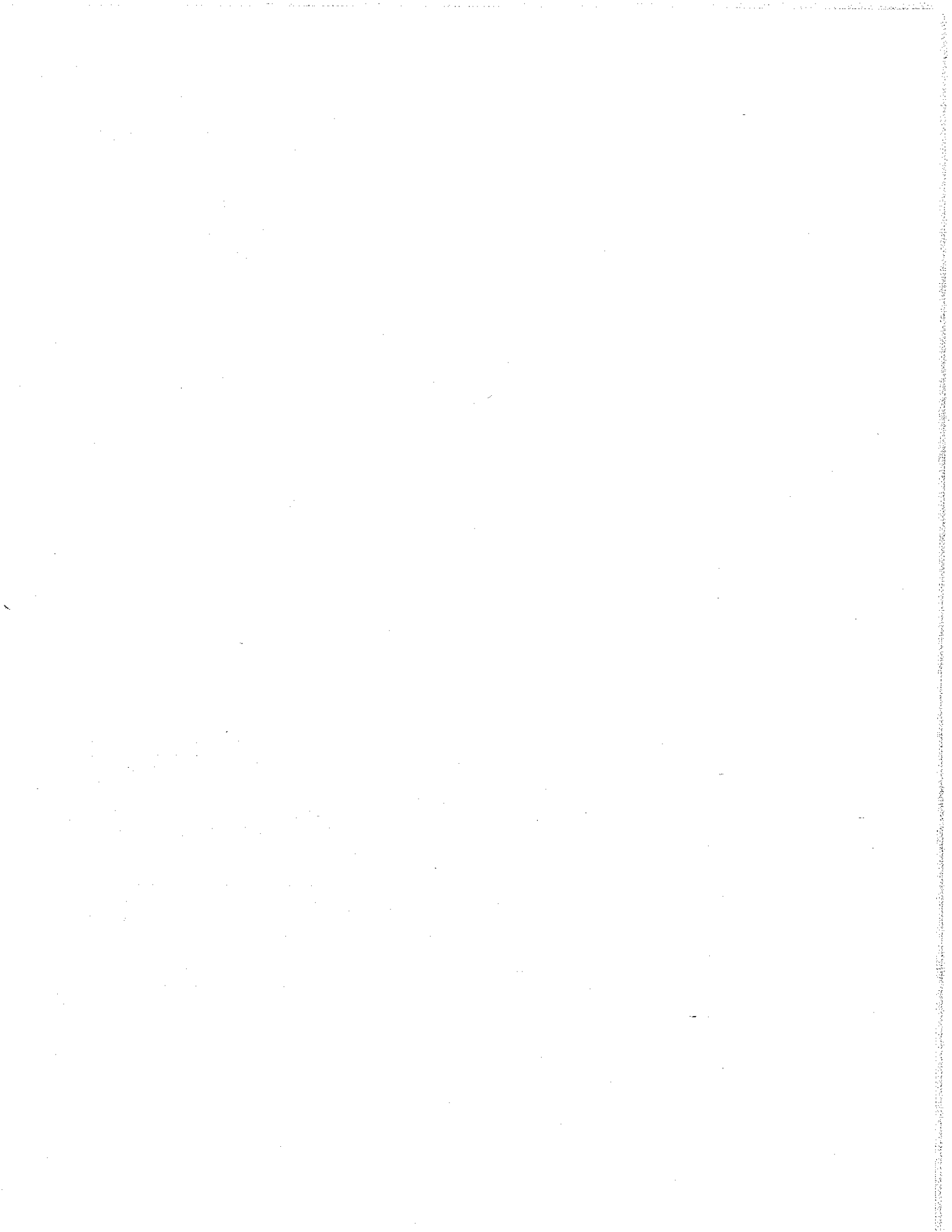


CHAIRPERSON



SUPERVISOR OF COUNCIL SERVICES

NOTIFICATION:	
NAME	CONTACT INFORMATION



A meeting of the **Committee of Revision** is held this day commencing at 9:30 o'clock p.m. in the Walkerville Meeting Room, 3rd floor, City Hall, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Rino Bortolin
Councillor Irek Kusmierczyk

Appellants present:

Devine Price, regarding Item 4.1
Albert Peach, regarding Item 4.2
Alan Jessop, regarding Item 4.3

Also present are the following resource personnel:

Paul Mourad, Project Administrator
Pat Winters, Engineer II
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Committee Coordinator calls the meeting to order at 9:30 o'clock a.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. ELECTION OF CHAIR

The Committee Coordinator calls for nominations from the floor for the position of Chair. Councillor Kusmierczyk nominates Councillor Sleiman, seconded by Councillor Bortolin. The Committee Coordinator asks Councillor Sleiman if he accepts. Councillor Sleiman accepts.

Moved by Councillor Kusmierczyk, seconded by Councillor Bortolin,
That Councillor Ed Sleiman, **BE ELECTED** Chair of the Court/Committee of Revision.
Carried.

3. DECLARATIONS OF CONFLICT

None disclosed.

4. APPELLANTS

4.1 Devine Price and Tahnee Blackbird – 2639 Lloyd George – Roll No. 070-590-10500-0000

Devine Price is present and available to answer questions. The salient points of discussion as provided by the appellant are as follows:

- He had no knowledge of the work and the charges associated with the local improvements on Lloyd George Boulevard as this information was provided to the previous owner prior to his purchase of the home.
- His lawyer did not disclose the local improvement charges.
- However, the local improvement information and estimated assessment charges were entered into the AMANDA system for this project and shows Local Improvement Charges Pending for this property.

P. Mourad states the previous owner of the home would have received a letter advising of the local improvements and the inherent costs, although may not have received the final assessment amount.

Moved by Councillor Kusmierczyk, seconded by Councillor Bortolin,

That the appeal by Devine Price and Tahnee Blackbird against the costs associated with the Local Improvement Charges for the construction of curb and gutters and boulevard restoration at 2639 Lloyd George, Roll No. 070-590-10500-0000 **BE DENIED**, and further, that Administration **BE REQUESTED** to report back regarding the process for perspective homebuyers to be able to access assessments and charges on a particular property.

Carried.

4.2 & 4.3

Albert and Carol Peach and Alan Jessop – 7320 St. Rose Avenue and 7321 St. Rose Avenue – Roll Nos. – 060-240-100000-0000 and 060-220-10500-0000

Albert Peach, 7320 St. Rose Avenue and Alan Jessop, 7321 St. Rose Avenue are present and available to answer questions.

The following comments are provided by Mr. Peach:

- The former City Engineer advised that the local improvement could be “done by simply cutting the road and patching it after the sewers were reconstructed”.
- When Belleperche Street was done in 2011, the residents who fronted on Belleperche were not assessed as this was a water main replacement. In addition, there were curbs (completely dysfunctional) in place prior to the work performed.
- Has been advised he must now pay for the curbs and gutters as a local improvement assessment.
- Paid taxes on this property for 27 years. What about the curb he already has?
- Had curbs for three years but the City removed the curbs and sidewalks

- He objects to this local improvement for the following reasons:
 - Was misled by the former City Engineer
 - At the very least, he had curbs (resulting from the Belleperche project) that ran more than 50% across his frontage.
 - The water main was replaced on St. Rose.
 - The project was delayed for one year, as Union Gas replaced the low pressure main on St. Rose with a high pressure main.
 - The road was lowered at least one foot to resolve problems with sidewalk flooding.

P. Winters advises the intention initially was to redo the road, curbs and gutters but to also add sanitary sewers.

In response to a question asked by Councillor Kusmierczyk regarding if the Belleperche project is separate from this discussion, P. Winters responds yes it is separate as the Belleperche project was undertaken by the Windsor Utilities Commission and notes the curbs should not have been constructed at that time.

Councillor Bortolin indicates a letter from the City was sent to Mr. Peach in 2011. He states Mr. Peach should have discussed this matter with administration at that time. He asks if the estimated value of work per metre and the charge for the frontage was provided to Mr. Peach at that time and P. Winters answers affirmatively. P. Winters responds the specific frontage was not outlined in the letter.

Moved by Councillor Kusmierczyk, seconded by Councillor Bortolin,

That the appeal by Albert Peach against the costs associated with the Local Improvement Charges for the construction of curb and gutters and boulevard restoration at 7320 St. Rose Avenue, Roll No. 060-240-100000-0000 **BE DENIED** and further, that Administration **BE REQUESTED** to review the original letter sent to the homeowners and to amend the process to include language relating to the frontage and what will be assessed and if there will be future improvements in this area.

Carried.

Moved by Councillor Bortolin, seconded by Councillor Kusmierczyk,

That the appeal by Alan Jessop against the costs associated with the Local Improvement Charges for the construction of curb and gutters and boulevard restoration at 7321 St. Rose Avenue, Roll No. 060-220-10500-0000 **BE DENIED** and further, that Administration **BE REQUESTED** to review the original letter sent to the homeowners and to amend the process to include language relating to the frontage and what will be assessed, and if there will be future improvements in this area.

Carried.

4.4 Cleber and Wendy Tavares – 7644 St. Rose Avenue – Roll No. 060-240-00150-0000

No one is present to speak to the matter.

Moved by Councillor Bortolin, seconded by Councillor Kusmierczyk,

That the appeal by Cleber and Wendy Tavares against the costs associated with the Local Improvement Charges for the construction of curb and gutters and boulevard restoration at 7644 St. Rose Avenue, Roll No. 060-240-00150-0000 **BE DENIED.**

Carried.

4.5 Enzo and Pierina Santia – 2909 and 0 Clemenceau – Roll No. 070-600-11902-0000 and Roll No. 070-600-11903-0000

No one is present to speak to the matter.

Moved by Councillor Bortolin, seconded by Councillor Kusmierczyk,

That the appeal by Enzo and Pierina Santia against the costs associated with the Local Improvement Charges for the construction of storm sewer and curb and gutters at 2909 and 0 Clemenceau, Roll Nos. 070-600-11902-0000 and 070-600-11903-0000 **BE DENIED.**

Carried.

5. DECISIONS OF COMMITTEE OF REVISION

Please refer to the respective item numbers for the disposition of the matters.

6. ADJOURNMENT

There being no further business, the meeting is adjourned at 10:13 o'clock a.m.

CHAIR

COMMITTEE COORDINATOR

AGENDA

and Schedule "A" to the minutes of the meeting of the
COMMITTEE OF REVISION

Made in accordance with the Municipal Act, 2001 (as amended)
Ontario Regulations 586/06 – Local Improvement Charges (as amended)

Thursday July 30, 2015

9:30 o'clock a.m.

Walkerville Meeting Room, 350 City Hall Square West

1. **CALL TO ORDER**
2. **ELECTION OF CHAIRPERSON**
3. **DECLARATIONS OF CONFLICT**
4. **APPELLANTS** [See additional information attached]
 - 4.1 Municipally known as: 2639 Lloyd George Boulevard in the City of Windsor
Roll No. 070-590-10500-0000
Devine Price and Tahnee Blackbird
 - 4.2 Municipally known as: 7320 St Rose Avenue in the City of Windsor
Roll. No. 060-240-10000-0000
Albert and Carol Peach
 - 4.3 Municipally known as: 7321 St Rose Avenue in the City of Windsor
Roll. No. 060-220-10500-0000
Alan Jessop
 - 4.4 Municipally known as: 7644 St Rose Avenue in the City of Windsor
Roll. No. 060-240-00150-0000
Cleber and Wendy Tavares
 - 4.5 Municipally known as: 2909 and 0 Clemenceau Boulevard in the City of Windsor
Roll. No's: 070-600-11902-0000, and 070-600-11903-0000
Enzo and Pierina Santia
5. **DECISIONS OF COMMITTEE OF REVISION**
6. **ADJOURNMENT**

