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Windsor, Ontario January 22, 2014

A meeting of the **Property Standards Committee** is held this day commencing at 10:00 o'clock a.m. in the Council Chambers, 3rd floor, City Hall, there being present the following members:

Jim Evans, Chair
John Middleton, Vice Chair
Bill Van Wyck

Guests/Delegations in attendance:

Mayor Eddie Francis
Councillor Al Maghnieh
Councillor Fulvio Valentinis
Larry P. Lowenstein, Solicitor and Laura Fric, Solicitor, Osler, Hoskin & Harcourt Law Firm
Patrick Moran, Canadian Transit Company General Counsel
Dan Stamper, President, Canadian Transit Company
Sharon Strosberg, Sutts, Strosberg LLP
Ed and Marsha Arditti
Kevin Flood

Also present are the following resource personnel:

Christopher Williams, Aird & Berlis LLP
Lee Anne Doyle, Executive Director/Chief Building Official
Andrea DeJong, Fire Prevention Officer
Brian McLaughlin, Deputy Fire Chief
Bill Szekely, Building Inspector
Rob Vani, Manager of Inspections (West)
Wira Vendrasco, Deputy City Solicitor
Steve Vlachodimos, Deputy City Clerk and Senior Manager of Council Services
Andrea Larivee, Administrative Assistant
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Chair calls the meeting to order at 10:01 o'clock a.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

The Chair provides the following opening statement:

My name is Jim Evans. I'm Chair and volunteer of the Property Standards Committee of the City of Windsor in a quasi juridical capacity. At the outset I'd like to be firm that I do not have a legal background if certain resolutions need to be interpreted nor do I have legal representation today. I want to thank Bill Van Wyck for attending the November 20, 2013 meeting Chaired by John Middleton and thank the staff for their due diligence in my absence. Apparently this meeting resulted in some positive turbulence and horrific position which is no fault of ours. I'm quite disturbed with the defamatory remarks by two Council members, the Mayor and certain printed media questioning our decision regarding demolition of the derelict homes in the west end of the city. I believe we deserve in a timely fashion an apology regarding the defamation of the Committee members. I would also like to communicate that our long time creative Committee member Mr. Mark Stephens has resigned based on the criticism that I just made reference to and I know its volunteer compassion fatigue. He's tired of giving. This Committee consists of volunteers approved by City Council and do not appreciate unwarranted criticism of decisions made in public.

2. DECLARATIONS OF CONFLICT OF INTEREST

None disclosed.

3. ADOPTION OF THE MINUTES

The adoption of the minutes of the Property Standards Committee at its meetings held September 16, 2013 and November 2013 to be discussed following the hearing of the appeals.

4. DEFERRALS/REQUEST FOR DEFERRALS

None.

5. DISCUSSION OF APPEALS

In response to a question asked by J. Middleton regarding if any of the properties/appeals being heard today have heritage designation, C. Williams responds the properties are located in a Heritage Conservation District, however they are not designated. He notes the Heritage District By-law was adopted by City Council in 2009.

The following comments are provided by L. Lowenstein, Solicitor, Canadian Transit Company:

- My name is Larry Lowenstein of the Osler, Hoskin & Harcourt Law Firm representing CTC. I'm here with my partner Laura Fric and I do have the pleasure to recognize Dan Stamper, President of CTC and Mr. Patrick Morand, General Counsel.
- None of the 31 houses that were subject to Repair Orders are themselves the subject of any Heritage Designation. There is no heritage character to these houses whatsoever.
- They were houses that were built after the Ambassador Bridge came to being. Their style and structure is that of modest community housing with no Heritage Designation whatsoever
- We appear before this Committee because in a weekend blitz in late September 2013, Repair Orders were issued under the Property Standards By-law by the City Officers and CTC has appealed under Section 15.3 of the Building Code.
- On October the 28th 2013, the outcome the Committee determined was that the Orders to Repair were not in the Sandwich Heritage Conservation District which I referred to as Non-Heritage properties was modified such that they ordered to demolish those properties. This Committee at the suggestion of the CTC and Ms. Lee Anne Doyle for the City adjourned the question of today i.e. the Heritage properties to allow the parties to meet to see if something could be negotiated and this Committee affirmed the adjournment of consent of the parties.
- CTC's position was publicly communicated in letters to seek a compromise with the City to resolve these issues for itself and for the angry homeowners. CTC's position is that the houses are required and were acquired by the CTC for bridge related purposes and the CTC needs those houses to be demolished for the proper maintenance, operations and security of the Ambassador Bridge.
- Unfortunately we have had no offer of compromise from the City and were therefore unable to meet with them, so we are pursuing this Appeal.
- As a Committee, you have several options before you as to what to do with these properties. Under the Section 15.3 of the Building Code Act, the Committee has the option to modify these Orders to permit demolition of the buildings.
- The buildings are a health and safety risk with security concerns which justifies a Demolition Order under the relevant legislation.
- Repairing these houses to make them habitable housing stock would be more costly than they are worth, which was acknowledged in the Titan Construction report.
- The Committee could also rescind or quash these Orders to Repair on the grounds they were not made with fairness and they were made with bias against CTC.
- Mr. Vani was candid to say you need to keep the windows boarded up. That's not consistent with making these houses into habitable housing stock. And if my client was ordered to rehabilitate these houses no one can force my client to be a landlord.
- The third option you have is simply to adjourn these questions until CTC's challenged in a federal court is complete.

- The Property Standards By-laws do not apply in any event to CTC because it is a federal undertaking regulated by the Ministry of Transport and CBSA and the by-laws simply do not apply.
- CTC says that it needs the properties now for the proper operation and maintenance of the bridge. This has nothing to do with CTC's desire if one day it could get the cooperation of the federal government to build a second span. The federal government has not cooperated thus far and therefore I emphasize these houses are required to be demolished for current operational needs of the current span for the property security of all of us that travel over the bridge between Windsor and Detroit.
- For nearly ten years the City has been well aware of CTC's purchases. The buildings have sat secure and uninhabited with no complaints and at no point before the issuance of these Orders has the City raised any concerns about CTC leaving the properties vacant. The parties were in a status quo situation which appeared to not be ideal but at least not contentious for open war until the City started its blitz of enforcement.
- As you know the City has proactively monitored these properties over the last several years and never issued a single Repair Order for Heritage or Non-Heritage properties.
- The CTC applied to demolish these properties once before and was turned down on the basis of a joint Report of the Office of the City Solicitor and the City Planning Department in a report which was presented to Council on December 4th, 2012.
- The key quote from that Report to Council is "the area Building Department Inspector has monitored these properties on a monthly basis for the past 4 years to ensure the buildings were properly secured, structurally sound and grass cut." To date there have been no Orders to Repair under the provisions of the Maintenance and Occupancy By-law or are any of these 44 residential properties proposed for demolition in the Old Sandwich Town Community Improvement Area.
- Today the buildings remain viable housing stock. So, the foregoing report was one year before the Repair Orders were issued and the City was proactively monitoring these properties. The properties in the Heritage District were treated exactly the same way as the Non-Heritage properties.
- Why this sudden blitz of enforcement? The Bridge's contention is that the only new event which explains what happened is that a law firm with close ties to the city currently brought a law suit on behalf of certain neighbours of the Ambassador Bridge in the Sandwich District claiming that the deterioration of the quality of the homes has affected the value of their houses and are seeking damages and related relief. Mr. Gruber, the Building Officer who prepared the Orders (at a previous meeting) stated the defects and corrections were not set out in the Order due to the volume of Orders issued.
- It's worth noting that the City operates the tunnel which is a competitor to the Ambassador Bridge and therefore the City should be under very strict scrutiny as to whether it is dealing fairly with the Ambassador Bridge who is not only a valuable property owner and tax payer in this City but is a competitor and is entitled to fair treatment by decision.

- If you look at the Order for 319 Indian Road which is the first property in the package of the 31 properties, it is materially identical to and susceptible to the criticism which I'm now going to put in front of you. Certain defects are alleged. You see them under the grid in the middle of the first page of 391 Indian under Defects and Conditions not in compliance with the by-law. It just parrots the by-law referring to stairs, porches, landings, loading docks, guards, handrails, balconies, canopies, awnings, and fire escapes. This is just a laundry list of potential defects cut and pasted from the statute with no notice to CTC as to what the City expects.
- We're told that in addition to the minimum standards for the maintenance and occupancy of property that the owner of a Part 4 heritage property shall maintain preserve and protect the attributes of Part 4 and Part 5 heritage properties so as to maintain its heritage character as well as its visual structural heritage integrity.
- The Officer who issued this ticket is requiring CTC to go and do Heritage type conservation. Assuming the Officer honestly believes that 319 Indian Road is a property of some heritage character, I ask why for so many years has the City allowed this valuable treasure to be boarded up and to slowly deteriorate.
- CTC has no intention of using any of these buildings for the purpose of renting them or selling them to residential owners or tenants. The buildings were required for bridge related current maintenance and operational and security purposes.
- CTC is faced with a circumstance where the buildings are enormously expensive to repair and wasteful to repair as the CTC has no desire to be a landlord. The City does not require the CTC to repair the properties to make them habitable, but to have them boarded up and secured.
- The *Ontario Heritage Act* cannot trump or take precedence over health and safety concerns and by-laws. The Property Standards Committee ordered the other properties to be demolished due to health and safety matters. The City has confirmed none of the properties has heritage character.

In response to a question asked by B. VanWyck regarding the infiltration of vermin in the former Grace Hospital Building and how to prevent it in the CTC buildings, R. Vani states there are other techniques for that, however, it is much more difficult to monitor buildings when they are not occupied.

B. VanWyck questions where the City stands with respect to applying by-laws to the CTC properties.

The following comments are provided by Chris Williams, Aird & Berlis LLP:

- CTC has no approval to build a second span which is another reason they allege why they require the properties.
- CTC has not obtained any approval under the International Bridges and Tunnels Act. CTC is involved in a large number of pieces of litigation including challenges to the applicability of the Bridges and Tunnels Act.

- Section 14 of the Municipal Act provides that a municipal by-law is not effective with respect to a Federal Act, regulation, approval or certificate but only to the effect it would frustrate the purpose.

Mayor Eddie Francis provides the following comments:

- With respect to the question about the City by-laws applying to the CTC, I refer member B. VanWyck to the Act that incorporated the Canadian Transit Company. Section 8 of the Canadian Transit Company Act which states subject to the provisions of the Railway Act 1919 of the Navigable Waters Protection Act, the company may construct, maintain and operate a railway and general traffic bridge across the Detroit River from some convenient point at or near Windsor in the Province of Ontario to the opposite side of the river in the State of Michigan and may lay, maintain and use tracks of the said bridge for the passage of steam, electric or other locomotive engines, railway trains, rolling stock with all necessary approaches, terminal facilities, machinery required for the said bridge from one point to the other. Section 10 says the company shall not construct or operate any of the works mentioned in Section 8 of this Act along any highway, street or public place without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway, street or other public place and upon terms to be agreed upon with such municipality, and failing such consent, then upon such terms affixed by the Board of Railways Commissioners for Canada.
- The arguments advanced today about jurisdiction are the very same arguments that the Ambassador Bridge has advanced in every forum in every court and in every jurisdiction both in the Province of Ontario and the State of Michigan and they have been turned down mostly recently by Justice Gates himself.

In rebuttal to the Mayor's comments, L. Lowenstein provides the following:

- He is obliged to the Mayor for his comments. He notes the CTC requires the approval of the Federal Government to construct anything new. He indicates what's interesting is His Worship arguing the Federal Court case here. It is factually incorrect to say this issue is dealt with by Justice Gates as the City's lawyers are trying to strike out the Federal Court case on the basis it was adjourned.
- The Olde Sandwich By-law still applies which allows the CTC to operate the bridge over the adjacent streets. In fact, the CTC is obliged to keep them safe and to indemnify them from harm. So, to the extent that consent was needed in the existing Town of Sandwich By-law is incorporated into the City of Windsor's Bylaws and the consent was historically given. No objection was ever taken to the acquisition of the property and if you own the property, you should be entitled to demolish it.
- If the CTC wanted to construct something new, they would need the Federal Government as their regulators and the CTC believes they have an excellent working relationship with CBSA.

- In terms of the reference made by Mr. Williams regarding Section 14 of the Municipal Act, it states it's not applicable where another law applies.

J. Middleton advises the Committee is dealing with the Orders to Repair. He suggests this is not the forum for Mr. Lowenstein and Mayor Francis to debate issues involved in other courts.

Mayor Francis indicates he was being courteous and responding to the question asked by B. VanWyck.

In response to a question asked by B. VanWyck regarding if this area of discussion is designated as a Heritage District, and demolitions are not allowed in Heritage Districts, why are we having this meeting today?

C. Williams responds the Committee does not have the ability to order demolitions of these properties. The properties in question are designated as part of a Heritage Conservation District. He states a Heritage Conservation District is used by municipalities where there are a collection of buildings or structures that have heritage merit. So, rather than designating each individual property, a district is designated. This was designated in 2009 by By-law 22-2009 and notes the CTC was not happy with the result and brought an application to the Superior Court to quash the Heritage Conservation District By-law (which was unsuccessful). The Heritage Conservation Act applies and there are provisions in it and in the Property Standard provision and by-law that precludes the demolition of those properties unless after approval by the Heritage Committee, City Council and the OMB.

In response to a question asked by B. VanWyck regarding the unoccupied heritage properties and that no complaints relating to health, safety, fire issues have been raised; L. Doyle responds complaints were received regarding property conditions in this area. She indicates there was abatement activity going on by the Bridge Company (with no permits) prior to the "blitz" which was the catalyst which caused the issuance of the Orders to Repair. She states the properties have been closely monitored over the past three years as Council approved a blight mitigation strategy.

J. Middleton asks for the Fire Department's procedure when responding to a fire in a vacant building. Deputy Fire Chief Brian McLaughlin responds they are not aware the building is vacant upon arrival at the scene. He notes there may be safety issues and there is potential danger for firefighters to enter the structure. He states one can never assume the structure is vacant without any existing preplan. Further to the foregoing, J. Middleton asks if the Fire Department has any preplans for the properties in question.

B. McLaughlin states there are some properties in a particular area that have been identified as vacant and are boarded up. The response plan is to continue with adequate apparatus, minimize and restrict the fire to the initial structure and prevent it from spreading with a defensive attack depending on the size of the fire and the pre-existing conditions.

J. Middleton states since the buildings in question have been vacant for approximately 5-7 years, why hasn't the Fire Department taken an inventory of these vacant properties. B. McLaughlin notes it is difficult to identify which properties are vacant. He indicates when information is made available i.e. permitted access to structures, a list is provided to the fire suppression crews.

Mayor Francis advises the Fire Code is completely outside the jurisdiction of this Committee.

In response to remarks made by Larry Lowenstein, Chris Williams provides the following:

- The jurisdiction of the Committee and the ability to transform the Repair Orders into Demolition Orders does not lie with this Committee.
- I will begin with the jurisdiction of the Committee on an Appeal of an Order. Section 15.3.1 of the Building Code Act states the Committee has all the powers and functions of the Officer who made the Order and the Committee may do any of the following things if in the Committee's opinion doing so would maintain the general intent and purpose of the by-law and the official plan.
- The two important points are to maintain the intent and purpose of the Property Standards By-law and the Official plan.
- The Committee can confirm, modify or rescind the Order or, extend the time for complying with the Order. Reason number one why the Committee doesn't have the jurisdiction is the Committee is not modifying the Order. They are issuing a brand new Order. The Committee has Orders to Repair. The CTC is asking for an Order to Demolish.
- Only a Property Standards Officer could initiate an Order not the Committee. Secondly, it would be an impossibility to comply with this, as this area is number one in an area of demolition control and is located in a Heritage Conservation District. Approval by the City pursuant to two different processes in the Planning Act and in the Heritage Conservation Act would have to be followed before demolition could be contemplated. So any Order would be a nullity. Number three, it doesn't maintain the intent and purpose of the Property Standards By-law.
- The Property Standards By-law in Schedule A, Part 5 states supplementary standards for Heritage buildings - replacement of heritage attributes where a heritage attribute cannot be repaired, it must be replaced.. Section 5.4 states cleaning and leveling of Heritage properties where no building or structure may be altered, demolished, removed or relocated except in accordance with the *Ontario Heritage Act*. Schedule A Part 5 5.5 Vacant Heritage Properties... where a Heritage property is vacant for a period of 90 days or more the owner must ensure appropriate utilities remain connected and that the building and property are appropriately secure. Ordering a demolition cannot possibly be in accordance with the intent of the Property Standards By-law.
- The Official Plan goes even further because the properties are located in a Community Improvement Area as well as a Heritage Conservation District. That first of all very strongly directs the preservation of the entirety of a housing stock, its rehabilitation especially if that housing stock has been used for rental housing

which this has in part. It directs that if at all possible a building is to be repaired and maintained, and it states that if it's going to be demolished you must acquire a Demolition Permit and to come forward with a redevelopment plan to replace at least the number of units that are being removed on that property. That redevelopment plan can require that a new dwelling unit must be constructed within two years and requires the posting of securities.

- Mr. Lowenstein has repeated his concerns regarding the particulars of the Orders. The City provided material requested by Ms. Fric or Mr. Lowenstein which were the Inspectors' notes and the photographs which lead to those notes. I point out that we have now had three additional months if CTC or their consultants Titan had any questions or concerns there were sufficient time to approach Building Department.
- When you look at the Titan detail report (each building was reviewed) there is an itemized number of points both with respect to unit cost, the materials and also the labour costs. For example, as it relates to 331 Indian Road, Titan indicated the cost is \$115,000.00 to repair this property. Over half these costs are interior, which had nothing to do with the Property Standards Orders.
- Upon review of the Order and the particulars that were identified in the Property Standards Report for 331 Indian Road, the cost to repair was \$15,000.00 not \$115,000.00.
- With respect to Mr. Lowenstein's discussion of jurisdiction, Mr. Lowenstein indicated in October 2013, the Committee does not have the authority to determine whether the by-laws do or do not apply to the CTC properties.
- The role of the Property Standards Committee is to hear the appeals and not to conduct an inquiry into how the Property Standards By-law is being implemented.

In response to a question asked by J. Middleton regarding the motion adopted at the October 28, 2013 meeting of the Property Standards Committee relating to a deferral of a decision pertaining to the heritage properties pending a discussion between the CTC and the City of Windsor, Chris Williams states there were discussions with Larry Lowenstein, however, there was no common ground.

Larry Lowenstein responds the City did not meet as they had no compromising offer. Chris Williams disagrees with this statement.

J. Middleton asks L. Doyle why the City and the CTC did not meet. Mayor Francis states respectfully, this is outside the jurisdiction of the Committee to tell the City of Windsor what to do.

Mayor Francis reiterates Mr. Williams did enter into discussions with the CTC and has answered the question.

J. Middleton states B. VanWyck provided a motion to defer to allow the two parties to discuss the matter; Ms. Doyle agreed to the negotiations, however, the City did not respond to the CTC's request to negotiate. He asks why Ms. Doyle didn't enter into negotiations as promised.

Mayor Francis advises when the other side is represented by legal counsel, the Chief Building Official is not sent in to negotiate, rather the Legal Department, specifically Mr. Williams to negotiate. The question has been answered, Mr. Williams has had discussions.

In response to a question asked by J. Middleton regarding if the CTC received all of the documentation requested from the Building Department as they relate to the Orders to Repair, Mr. Lowenstein responds the particularity of the defects were not received, i.e. e-mails, letters, communications which lead to the initiation of the Orders to Repair. Also details of complaints made or any other documentation which explains why there was a rushed process over one weekend to issue these Orders was not received.

B. VanWyck suggests consideration be given to remove the following properties from the Heritage Conservation District -2879 University Avenue West and 2891 University Avenue West as they are "extremely ugly and dangerous". He notes the area would be better served if the buildings were demolished as it would provide lovely green space.

The Chair asks if there is a motion at this time.

B. VanWyck advises according to the City Solicitor, the Property Standards Committee has no recourse but to indicate the demands on the properties must be fulfilled. J. Middleton does not support this statement as the original decision of the Committee was unanimous that all of the properties were to be demolished forthwith due to safety issues.

J. Middleton states the original Orders were modified from a Repair Order to a Demolition Order for all of the properties. As suggested by B. VanWyck, the heritage and non-heritage properties were separated into two motions. He notes he allowed the friendly amendment to allow the City of Windsor to engage in discussion with the CTC to come to a resolution for the properties.

B. VanWyck is prepared to motion, however, as J. Middleton does not support the foregoing, S. Vlachodimos explains if J. Evans is prepared to second the motion, he must step down from the Chair and allow the Vice Chair to take over the meeting.

J. Middleton reports M. Stephen resigned from the Committee due to the actions of the some of the City Councillors, the Mayor and the media. J. Middleton assumes the position of Vice Chair.

Moved by B. VanWyck, seconded by J. Evans,

UPON THE APPLICATION of the Appellant by way of Appeal from the Orders to Repair made by the Property Standards Officer on the 24th day of September 2013 respecting the properties identified in Appendix "A" attached hereto, (with the exclusion of the non-heritage properties) and upon reading the said Order:

IT IS ORDERED that the said Orders to Repair **BE CONFIRMED**.
Carried.

J. Middleton voting nay.

B. VanWyck thanks Mayor Francis for his presence and assistance at this very important meeting.

Mayor Francis thanks the Committee for serving the members of this community and if anything arose from this meeting today, it's the jurisdiction of the Committee – what the Committee can and cannot do.

3. ADOPTION OF THE MINUTES

Moved by B. VanWyck, seconded by J. Middleton,

That the minutes of the meeting of the Property Standards Committee held September 16, 2013 **BE ADOPTED AS AMENDED** to reflect the following:

“ In response to a question asked by J. Middleton regarding who called the demolition company, B. Suszek states he called and left a message for the company to contact him and D. Lunardi states he later called the company to advise that their services were not necessary”.

Carried.

Moved by B. VanWyck, seconded by J. Middleton,

That the minutes of the meeting of the Property Standards Committee held November 20, 2013 **BE ADOPTED** as presented.

Carried.

6. NEW BUSINESS

J. Middleton provides notice that a discussion be held at a future meeting regarding the adoption of the Mississauga Property Standards Committee Rules of Procedure.

J. Middleton indicates that as the Committee Coordinator has “pressures representing the City and the impartial parties before us” that consideration be given to replacing the Committee Coordinator with someone independent from the City of Windsor. He suggests the funds derived from the Orders to Repair and the Notices of Appeal be utilized to fund this position and also, for legal representation for the members of the Committee.

S. Vlachodimos explains there is a Collective Bargaining Agreement, and the Committee Coordinator is very professional and she records without comment and is impartial.

J. Middleton requests summons be issued to the following as they have publicly made comments relating to the integrity of the Property Standards Committee:

Mayor Francis
Councillor Drew Dilkens, Councillor Ron Jones
Ann Jarvis, Windsor Star
Mike Graston, Windsor Star
Claire Brownell, Windsor Star
Marty Beneteau, Windsor Star
Matty Moroun, Owner, Ambassador Bridge
Dan Stamper, President, Canadian Transit Company

S. Vlachodimos indicates the issuance of the summons is outside the scope of this Committee. He suggests Mr. Middleton contact the Integrity Commissioner and states this is his final ruling on the matter.

7. **COMMUNICATIONS**

None.

8. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 12:14 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR

AGENDA
and Schedule "A"
to the minutes of the
PROPERTY STANDARDS COMMITTEE
meeting held
Wednesday, January 22, 2014
at 10:00 o'clock a.m.
Council Chambers, 3rd floor, City Hall

1. **CALL TO ORDER**

2. **DECLARATION OF CONFLICT OF INTEREST**

3. **ADOPTION OF THE MINUTES**

The adoption of the minutes of the Property Standards Committee at its meetings held September 16, 2013 and November 20, 2013(attached) to be discussed following the hearing of the appeals.

The minutes of the meeting held September 16, 2013 be amended to reflect the following:

"In response to a question asked by J. Middleton regarding who called the demolition company, B. Suszek states he called and left a message for the company to contact him and D. Lunardi states he later called the company to advise that their services were not necessary."

4. **DEFERRALS/REQUEST FOR DEFERRALS**

HEARING OF APPLICANTS AND INTERESTED PARTIES - 10:00 o'clock a.m.

5. **DISCUSSION OF APPEALS (ENCLOSED)**

The Canadian Transit Company against an Order issued September 24, 2013 regarding property 319 Indian, Windsor, Ontario Lot 24 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

5.1 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 322 Indian, Windsor, Ontario Lot 18 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

5.2 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 331 Indian, Windsor, Ontario Lot 22 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

5.3 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 332 Indian, Windsor, Ontario Lot 16 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

- 5.4 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 336 Indian, Windsor, Ontario Lot 15 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.5 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 340 Indian, Windsor, Ontario Lot 14 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.6 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 346 Indian, Windsor, Ontario Lot 13 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.7 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 352 Indian, Windsor, Ontario Lot 1 and Part Lot 2 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.8 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 358 Indian, Windsor, Ontario Lot S Pt lot 2 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.9 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 364 Indian, Windsor, Ontario Lot 4 S Pt Lot 3 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.10 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 372 Indian, Windsor, Ontario Lot 5 to 6 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.11 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 388 Indian, Windsor, Ontario Lot N Pt Lot 9 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.12 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 394 Indian, Windsor, Ontario Lot S Pt Lot 9 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.13 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 408 Indian, Windsor, Ontario Lot 1 to 3 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.14 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 420 Indian, Windsor, Ontario Lot 4 N Pt Lot 5 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.15 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 428 Indian, Windsor, Ontario Lot S Pt Lot 5 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

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- 5.16 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 440 Indian, Windsor, Ontario Lot 7 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.17 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 446 Indian, Windsor, Ontario Lot 8 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.18 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 451 Indian Windsor, Ontario Lot 12 Plan 982. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.19 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 452 Indian, Windsor, Ontario Lot 9 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.20 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 457 Indian, Windsor, Ontario Lot 13 Plan 982. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.21 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 458-460 Indian, Windsor, Ontario Lot 10 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.22 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 464 Indian, Windsor, Ontario Lot 11 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.23 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 470 Indian, Windsor, Ontario Lot 12 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.24 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 474 Indian, Windsor, Ontario Lot 13 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.25 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 490 Indian, Windsor, Ontario Lot 14 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.26 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 2879 University W., Windsor, Ontario Lot 3 Pt Lot 2 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.27 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 2891 University W., Windsor, Ontario Lot 1 Pt Lot 2 Plan 887. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

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- 5.28 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 2856 Donnelly, Windsor, Ontario Lot 16 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.29 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 2874 Donnelly, Windsor, Ontario Lot 15 Plan 840. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.
- 5.30 **The Canadian Transit Company** against an Order issued September 24, 2013 regarding property 2874 Peter, Windsor, Ontario Lot 8 Plan 888. The Notice of Appeal dated October 9, 2013 has been received within the 14 day timeframe.

6. **NEW BUSINESS**

None

7. **COMMUNICATIONS**

None

8. **ADJOURNMENT**