

**REPORT NO. 167** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held September 25, 2013

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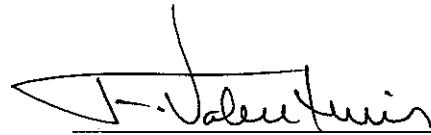
**Present:** Councillor J. Gignac  
Councillor A. Halberstadt  
Councillor R. Jones  
Councillor F. Valentinis, Chair

**Regrets:** Councillor H. Payne

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

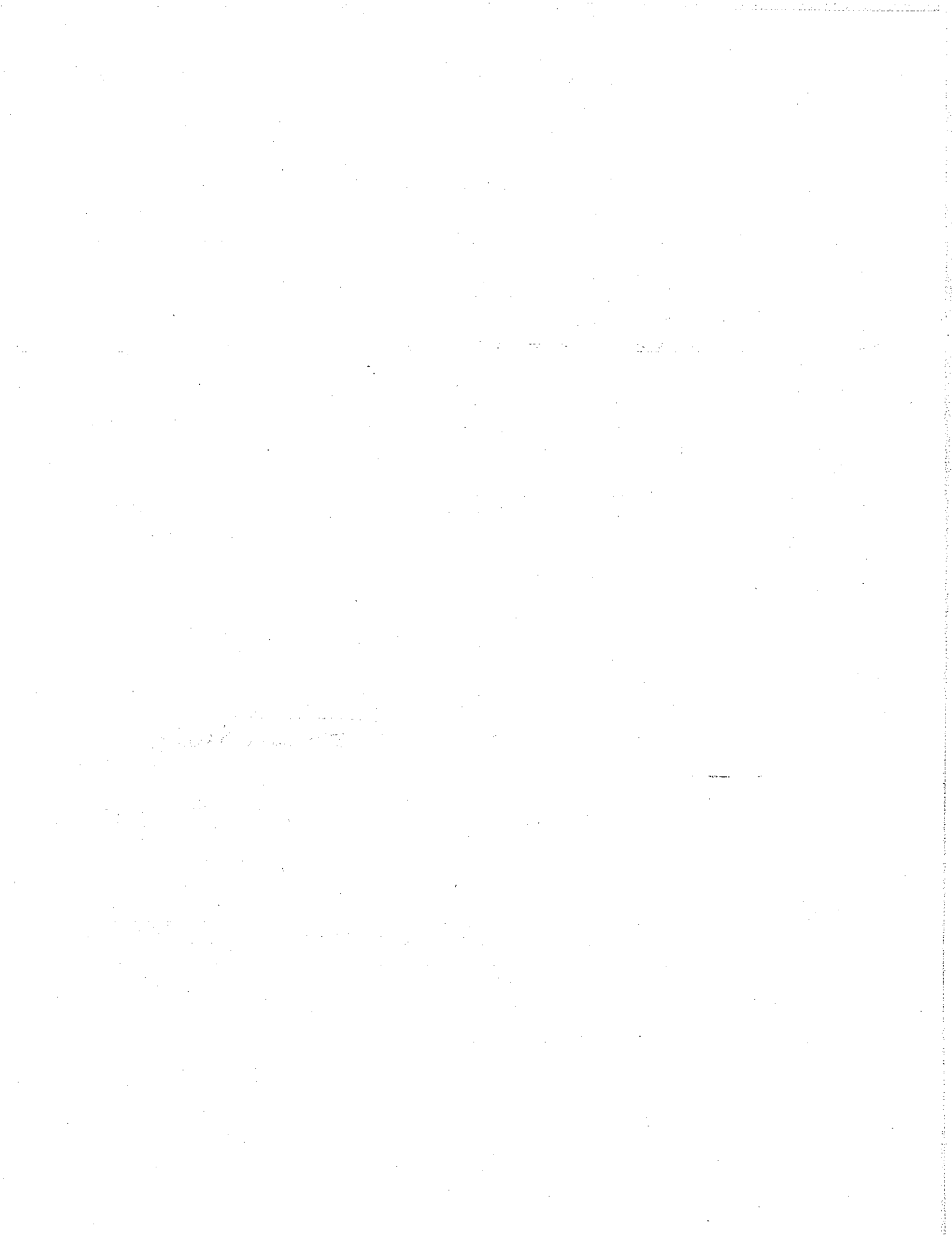
Moved by Councillor Gignac, seconded by Councillor Halberstadt,  
**THAT** the minutes of the Court of Revision meetings held July 11, 2013 **BE RECEIVED** for information.  
Carried.

Clerk's Note: The minutes of the Court of Revision meeting held July 11, 2013 are attached as background information.

  
CHAIRPERSON

  
DEPUTY CLERK

NOTIFICATION:				
Name	Address	Email Address	Phone	FAX



KK/  
Windsor, Ontario July 11, 2013

A meeting of the **Court of Revision** is held this day commencing at 9:30 o'clock a.m. in Room 302, 400 City Hall Square East, there being present the following members:

Stephane Beaudin, Co-Chair  
Michael Peris, Co-Chair

**Delegations:**

Carman Cirlariello  
Tony Iacobelli  
Ardella O'Neil  
Joe Pavkovic and Drago Tuskan, Croatian Centre

**Guests in attendance:**

John Azzopardi  
Bruce D. Crozier, P. Eng., Crozier Baird Engineers  
Halliday Pearson, P. Eng., Crozier Baird Engineers

**Also present are the following resource personnel:**

Anna Godo, Engineer III  
Paul Mourad, Engineer II  
Karen Kadour, Committee Coordinator

**1. CALL TO ORDER**

Michael Peris, Co-Chair calls the meeting to order at 9:30 o'clock a.m. and the Court of Revision considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

**2. MINUTES**

Moved by S. Beaudin, seconded by M. Peris,  
That the minutes of the Committee of Revision at its meeting held October 26,  
2011 **BE ADOPTED** as presented.  
Carried.

3. **APPELLANTS**

3.1 **Repair and Improvements to the 8<sup>th</sup> Concession Drain North**

Joe Pavkovic and Drago Tuskan, Croatian Centre, 5259 Tecumseh Road East are present and available to answer questions. The salient points of discussion as provided by the appellants are as follows:

- The bridge culvert access over the 8<sup>th</sup> Concession Drain on the City of Windsor right-of-way is to be demolished and replaced.
- Problems with draining on the Croatian Centre lands began with the construction of the Southwest Detention Facility. He notes drainage tiles were damaged during the construction.

Halliday Pearson, P. Eng. indicates the elevation of the culvert is perched and needs to be lowered. She notes the water works its way under the bedding material which causes failure of the culvert. She advises the existing culvert at the Croatian Club shows the same elevation as documented in the year 2000 survey which essentially means the culvert was not lowered as prescribed.

In response to a question asked by Joe Pavkovic regarding the Croatia Centre's approximate assessed cost to replace the culvert, H. Pearson responds their approximate cost is \$11,390.

It is noted that Ardella O'Neil initiated the petition for the works to be undertaken as she indicated the drain had not been cleaned for several years. P. Mourad states once a petition has been received, the City of Windsor is obligated under the Drainage Act to hire an engineer to undertake a report. He further states if any of the drains are in bad repair, the City of Windsor under the Drainage Act is compelled to correct any deficiencies.

A. Godo reports the costs assessed to the respective property owners relate to the access to the culvert and not to the drain cleaning.

In response to a question asked by A. O'Neil if the culvert will be maintained once completed, P. Mourad responds that the Operations Division does maintenance on the road side only and at intersections for sight line issues.

Bruce Crozier, P. Eng. states the cost assessment provided in the report entitled "Repair and Improvement to the 8<sup>th</sup> Concession Drain North" presents the "worst case scenario". He advises if the respective culvert is in good condition, no repairs will be required.

H. Pearson indicates if the culverts are rusted and deteriorated, this will necessitate replacement.

4. **DECISION OF THE COURT OF REVISION**

Moved by S. Beaudin, seconded by M. Peris,  
That the revised report of Crozier Baird Engineers dated April 5, 2013 entitled  
"Repair and Improvement to the 8<sup>th</sup> Concession Drain North Project No. 12-018"  
including the construction and incidental costs assessed to the affected properties in  
accordance with the Schedule of Assessment **BE APPROVED.**

Carried.

5. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 10:30 o'clock a.m.

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Michael Peris, Co-Chair

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Committee Coordinator

**AGENDA**  
**and Schedule "A" to the Minutes of the Meeting of the**  
**COURT OF REVISION**  
**Made in accordance with the Drainage Act**  
**Thursday, July 11, 2013**  
**9:30 o'clock a.m.**  
**400 City Hall Square East**  
**Room 302**  
**Windsor, Ontario**

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1. **CALL TO ORDER**

2. **INTRODUCTIONS**

3. **APPELANTS**

3.1 **Court of Revision**

**Works No. 1**

Municipally known as the City of Windsor  
Concession 7, Part Lot 13 to Part Lot 16

**REPAIR AND IMPROVEMENTS TO THE  
8<sup>TH</sup> CONCESSION DRAIN NORTH.**

4. **DECISION OF COURT OF REVISION**

5. **ADJOURNMENT**