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## CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 127/2026**

**Approved: Monday, June 15, 2026**

- I. THAT **APPROVAL BE GIVEN** to the granting of the following permanent utility easement:
  - a) **GRANTEE:** Enbridge Gas Inc.  
50 Keil Drive North  
Chatham, Ontario N7M 5M1  
(the "**Grantee**")
  - b) **EASEMENT:** Permanent utility easement in favour of the Grantee for a natural gas service line (the "**Line**") along the eastern boundary of municipal address 10864 Riverside Drive East (the "**Easement Lands**") to be further described on a Reference Plan to be registered by the Grantee, at its sole cost, as shown in the aerial image attached as Appendix A.
  - c) **AREA:** Approximately 34.22 m<sup>2</sup>
  - d) **PRICE:** \$1.00, the Grantee will use its own legal counsel for preparation and registration, with all costs to be born by the Grantee.
  - e) **TERMS & CONDITIONS:**
    1. The Grantee is responsible for all costs related to the Line including, but not limited to, the costs of construction, installation, maintenance, restoration costs and pedestrian control;
    2. Even though the Line may become annexed or affixed to the Easement Lands, title to the Line shall nevertheless remain in the Grantee;

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3. The Grantee shall indemnify and save the City harmless from all actions, causes of actions, suits, claims and demands of every nature and kind whatsoever which may be made against the City relating to or arising out of the placement of the Line by the Grantee and for which the City, in law, is responsible. The Grantee shall ensure they have all insurance as required in Recommendation III(g) herein, over the Easement Lands to provide said indemnity;
  4. In the event the Grantee needs to enter the Easement Lands for the purpose of maintaining, repairing or replacing the Line, the Grantee will restore the Easement Lands to a condition satisfactory to the City Engineer or designate, acting reasonably; and,
- II. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** any required written documents satisfactory in form and content to the City Solicitor, in technical content to the City Engineer and in financial content to the Chief Financial Officer and City Treasurer and that the transaction **BE COMPLETED** electronically pursuant to By-Law 366-2003 and that the City Solicitor or designate **BE AUTHORIZED** to sign any documents related to the completion of a real estate transaction; and,
- III. THAT **APPROVAL BE GIVEN** to the granting of the following consent to enter:
- a) That the Consent to Enter is provided to the Grantee and its employees, contractors, agents, and assigns (collectively, the “**Grantee**”) to enter upon 10864 Riverside Drive East (the “**Consent Lands**”) as shown in the aerial image attached as Appendix A;
  - b) The term of the agreement shall begin May 22, 2026 and will end upon the registration of the easement described in Recommendation I;
  - c) The Grantee will enter the Consent Lands for the purpose of relocating and/or conducting maintenance or repairs to the Line (the “**Works**”) in a manner satisfactory to the City Engineer or designate, acting reasonably;
  - d) Access to the Consent Lands will be from Riverside Drive East;
  - e) Before and during construction, the Grantee is responsible for securing the job site. The Grantee is responsible for erecting signage as needed;



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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- f) The Grantee agrees that, upon completion of relocation and/or maintenance or repairs of the Line, any disturbance of the Consent Lands resulting from its occupation will be restored at its own costs to the satisfaction of the City Engineer, or designate, acting reasonably;
- g) The Grantee will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:
- \$5,000,000 Commercial General Liability coverage with “The Corporation of the City of Windsor” listed as an additional insured and cross-liability coverage, which the Grantee may either maintain or choose to self-insure in lieu of insurance;
  - Each vehicle owned or leased used directly or indirectly in the performance of the Work must be insured with an Automobile Policy, with liability limits of no less than \$2,000,000.00 per occurrence.

Insurance shall not be cancelled without thirty (30) days’ written notice to the City. In the event the Grantee self-insures, the Grantee shall only be financially responsible for insurable costs from the first dollar up to the amount stated above.

Or as such requirements may be amended, restated and/or supplemented by the City’s Risk and Insurance Department from time to time; and,

- IV. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** a Consent to Enter Agreement with the Grantee for access to the Consent Lands, approved as to form by the City Solicitor or designate and as to content by the City Engineer or designate.

Report Number: CAO 127/2026

Clerk’s File: APM/15084

*Anna Ciacelli*

Deputy City Clerk / Supervisor of Council Services  
June 16, 2026

Department Distribution



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Coordinator of Real Estate Services
Manager of Real Estate Services
City Solicitor
Executive Director, Pollution Control/Deputy City Engineer (A)
Commissioner, Infrastructure and City Engineer
Chief Administrative Officer