

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Phone: (519)255-6211

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E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 84/2026
Approved: Sunday, April 19, 2026**

- I. **THAT APPROVAL BE GIVEN** to the accepting of the following Consent to Enter:
- a) That The Corporation of the City of Windsor enter into a Consent to Enter for itself and its contractors, subcontractors, agents, employees and assigns (hereinafter collectively the “**City**”), to enter upon part of the lands municipally known as 2630 Columbia Court and legally described as Essex Condominium Plan No. 94 (the “**Condo**”) and is appurtenant interest thereto, being Part Blocks M & N, Registered Plan 1622, designated as Part 1 on Plan 12R-18985, s/t Easements as in LT295612 and LT304627; Windsor, as shown on the aerial image attached as Appendix A (the “**Consent Lands**”);
 - b) The City will enter the Consent Lands for the purpose of topographical surveying, geotechnical investigations, and excess soil testing, the construction of a new sound barrier wall on City lands along the eastbound lanes of E.C. Row Expressway, and maintenance thereafter (the “**Works**”). The new sound barrier will replace the existing section of the noise barrier on City lands backing onto the Condo lands, and will be approximately 265 metres in length from Sierra Drive to Samuel Street .
 - c) The term of the agreement (the “**Term**”) shall be as follows:
 - i) Topographical survey, geotechnical and excess soil investigations shall be carried out over a period of approximately five (5) months commencing April 10, 2026, and concluding no later than August 31, 2026;
 - ii) Construction of the new sound barrier wall along the east bound lanes of E.C. Row Expressway, shall be carried out over a period of approximately

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four (4) months commencing on September 1st, 2026 and concluding no later than December 31, 2026; and

- iii) Maintenance period shall commence upon completion of the construction period and shall continue for a period of one (1) year from the date of such completion.

- d) Access to the Consent Lands will be from Columbia Court or Sierra Drive.

- e) Prior to entering the Consent Lands for any purpose related to the Works, the City shall provide the Condo with a minimum of seventy-two (72) hour notice.

- f) Prior to and during the Works, the City will be responsible for securing the job site. The City is responsible for erecting signage and fencing to ensure the public cannot access any materials or equipment, as required;

- g) The City agrees that, upon the termination of this agreement, the City will be required to restore the Consent Lands to their same condition as of the commencement of the Term;

- h) The City will be required to provide the Owner with indemnification for any injury or damages to the Condo's property caused by the city and proof of insurance with the following minimum coverage:
 - \$5,000,000 per occurrence Commercial General Liability coverage with "Essex Standard Condominium Corporation No. 94" listed as an additional insured and cross-liability coverage;

 - Each vehicle owned or leased used directly or indirectly in the performance of the Works will be insured with an Automobile Policy, with liability limits of no less than \$2,000,000 per occurrence;

II. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** a Consent to Enter Agreement with the Condo, approved as to form by the City Solicitor, or designate, and as to content by the City Engineer or designate.



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
April 20, 2026

Department Distribution

Manager of Real Estate Services
City Solicitor
Senior Manager, Contracts, Field Services, Maintenance, Operations
Commissioner, Infrastructure Services and City Engineer
Chief Administrative Officer