

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

Phone: (519)255-6211

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 48/2025 AMENDMENT
AMENDMENT APPROVED: Friday, April 11, 2025

- I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) “City as Grantor” Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following Consent to Enter:
 - a) That the Consent to Enter is provided to Amico Infrastructures Inc. and its contractors, subcontractors, agents, employees and assigns (hereinafter collectively “**Amico**”), to enter part of the lands municipally known as 0 Walker Road (north of 2841 Walker Road) and legally described as Part Lots 3 and 4 on Registered Plan 868 Sandwich East; Windsor as show on the aerial diagram attached as Appendix B (the “**Consent Lands**”).
 - b) Amico will enter the Consent Lands for the purpose of creating temporary driveway access to the property municipally known as 2841 Walker Road in advance of and during the construction period on the Central Corridor Feedermain Project Phase 2. Amico will enter the Consent Lands with construction equipment to strip topsoil and install a temporary granular driveway to allow access to 2841 Walker Road (the “**Works**”);
 - c) The term of the agreement shall be for approximately 8 months, commencing on March 17, 2025 and expiring on October 31, 2025 (the “**Term**”);
 - d) Access to the Consent Lands will be from Walker Road and Turner Road;
 - e) Amico will ensure that its equipment and materials at the Consent Lands are secured at all times by installing fencing and proper signage and are not placed/stored on the City right-of-way. Amico will also ensure that storage of its

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equipment and materials on the Lands will not create any site line issue for users of Walker Road, nor interfere with adjacent bus stops or traffic volumes in the area;

- f) Amico agrees that, upon the termination of this agreement, any disturbance of the Consent Lands resulting from the carrying out of the Works will be restored by Amico at its own cost, including the removal of all granular material, replacing topsoil, seeding, removing the gate and reinstalling the fence. All restoration works will be completed to the satisfaction of the Executive Director of Engineering, or designate, acting reasonably;
- g) Amico 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 and 30 days’ notice of cancellation;
 - Each vehicle entering upon the Lands must be insured with an Automobile Policy, with liability limits of no less than \$5,000,000 per occurrence;

The City reserves the right to amend, restate and/or supplement the above requirements as determined by the City’s Risk and Insurance Department from time to time.

- h) There is potential for SAR snakes to be in the general area, particularly along rail corridors:
- All on-site personnel are to be made aware of the potential presence of SAR, including Butler’s Gartersnake and Eastern Foxsnake, and the protections afforded to them under section 9 of the Endangered Species Act (ESA, 2007);
 - Conduct wildlife sweeps in vegetation or natural cover prior to any clearing activities. Inspect any pits or holes, created or existing, prior to filling;
 - Be attentive when moving or disturbing any materials left on site;
 - Drive cautiously in and out of the site and perform wildlife inspections of any machinery parked on-site for over (1) one hour or overnight before (re)ignition;
 - If a SAR snake is encountered (living, injured or deceased), immediately stop work within 30m and contact the City SAR Hotline (519-816-5352);



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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- Qualified personnel are to use proper snake handling procedures to usher species off site, as required, following the Ontario SAR Handling Manual (MNR);
 - Keep the work site clean and remove all food and beverage waste and containers at the end of each day;
- i) Amico shall ensure that all operations, equipment, and materials do not adversely affect the Grand Marais Drain. Additionally, Amico shall avoid any disturbance within a 5-meter from the south top of the bank of the Grand Marais Drain and shall provide a copy of the ERCA permit, required for work within the regulated area, to the City's Drainage Superintendent.
- II. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** a Consent to Enter Agreement with Amico, approved as to form by the City Solicitor, or designate, and to content by the City Engineer, or designate.

Report Number: CAO 48/2025

Approved: Monday, March 24, 2025

- I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) "City as Grantor" Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following Consent to Enter:
- a) That the Consent to Enter is provided to Amico Infrastructures Inc. and its contractors, subcontractors, agents, employees and assigns (hereinafter collectively "**Amico**"), to enter part of the lands municipally known as 0 Walker Road (north of 2841 Walker Road) and legally described as Part Lots 3 and 4 on Registered Plan 868 Sandwich East; Windsor as show on the aerial diagram attached as Appendix B (the "**Consent Lands**").
 - b) Amico will enter the Consent Lands for the purpose of creating temporary driveway access to the property municipally known as 2841 Walker Road in advance of and during the construction period on the Central Corridor Feedermain Project Phase 2. Amico will enter the Consent Lands with

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- construction equipment to strip topsoil and install a temporary granular driveway to allow access to 2841 Walker Road (the “**Works**”);
- c) The term of the agreement shall be for approximately 8 months, commencing on March 17, 2025 and expiring on October 31, 2025 (the “**Term**”);
- d) Access to the Consent Lands will be from Walker Road and Turner Road;
- e) Amico will ensure that its equipment and materials at the Consent Lands are secured at all times by installing fencing and proper signage and are not placed/stored on the City right-of-way. Amico will also ensure that storage of its equipment and materials on the Lands will not create any site line issue for users of Walker Road, nor interfere with adjacent bus stops or traffic volumes in the area;
- f) Amico agrees that, upon the termination of this agreement, any disturbance of the Consent Lands resulting from the carrying out of the Works will be restored by Amico at its own cost, including the removal of all granular material, replacing topsoil, seeding, removing the gate and reinstalling the fence. All restoration works will be completed to the satisfaction of the Executive Director of Engineering, or designate, acting reasonably;
- g) Amico 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 and 30 days’ notice of cancellation;
 - Each vehicle entering upon the Lands must be insured with an Automobile Policy, with liability limits of no less than \$5,000,000 per occurrence;

The City reserves the right to amend, restate and/or supplement the above requirements as determined by the City’s Risk and Insurance Department from time to time.

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- Conduct wildlife sweeps in vegetation or natural cover prior to any clearing activities. Inspect any pits or holes, created or existing, prior to filling;
- Be attentive when moving or disturbing any materials left on site;
- Drive cautiously in and out of the site and perform wildlife inspections of any machinery parked on-site for over (1) one hour or overnight before (re)ignition;
- If a SAR snake is encountered (living, injured or deceased), immediately stop work within 30m and contact the City SAR Hotline (519-816-5352);
- Qualified personnel are to use proper snake handling procedures to usher species off site, as required, following the Ontario SAR Handling Manual (MNR);
- Keep the work site clean and remove all food and beverage waste and containers at the end of each day;

ii) Amico shall ensure that all operations, equipment, and materials do not adversely affect the Grand Marais Drain. Additionally, Amico shall avoid any disturbance within a 5-meter from the south top of the bank of the Grand Marais Drain and shall provide a copy of the ERCA permit, required for work within the regulated area, to the City's Drainage Superintendent.

II. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** a Consent to Enter Agreement with Enbridge, approved as to form by the City Solicitor, or designate, the Director of Operations of YQG, or designate, and the Executive Director of Engineering, or designate.

Report Number: CAO 48/2025
Clerk's File: APM/14909

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services



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April 11, 2025

Department Distribution

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