

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

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## **CAO APPROVAL**

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 36/2019**

**Approved: July 30, 2019**

That the request by the owner of the property at 405 Erie Street West, identified as PLAN 435 E PT LOT 310 TO; E PT LOT 312; CORNER; to permit one parking space and parking block encroachments, as shown on attached Drawing C-3485, **BE APPROVED**, subject to the owner entering into an encroachment agreement, satisfactory in form to the City Solicitor and in technical content to the City Engineer, to comply with the following terms and conditions:

- a) Furnish a copy of the Registered Deed by which ownership to the property was acquired.
- b) Pay a \$229.25 (includes 5% G.I.S. Charge) encroachment application fee to Engineering. **(PAID)**
- c) Pay a \$300.00 fee to Engineering for the preparation of the agreement, to be signed by the property owner. **(PAID)**
- d) Pay a surcharge in the amount of \$102.00 to Engineering, as required by M67-2015. **(PAID)**
- e) Indemnify the City of Windsor against all claims which may arise by reason of its occupying sections of the public right-of-way herein before listed and file with the Corporation a Certificate of Insurance evidencing proof of Commercial General Liability insurance with limits of at least \$2,000,000.00 per occurrence, with and endorsement naming the Corporation of the City of Windsor as an additionally insured, and including cross liability and 30 days notice of cancellation provisions.

The Certificate of Insurance must be satisfactory in form and content to the Risk Management Division and be provided to the Corporation at the commencement of this encroachment and annually thereafter.



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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- f) Pay a on-time encroachment fee of \$350.00, calculated according to M67-2015, and any and all applicable provincial and federal land taxes, etc.
- g) Remove the encroachment and restore the area within 60 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so.
- h) The agreement shall be for 20 years from the agreement execution date of change of zoning of change in ownership, whichever occurs first.
- i) The owner agrees to obtain a street opening permit at a cost of \$212.00 for the subject encroachment.
- j) The owner agrees to install "No Parking" signs on the building in non-parking areas as described in Drawing C-3485.
- k) The owner agrees to obtain a building permit for the parking signs.

and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in form to the City Solicitor and in technical content to the City Engineer, in accordance with By-law 208-2008 as the authority for encroachments.

Report Number: CAO 36/2019  
Clerk's File: ST2019

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services  
July 31, 2019

### Department Distribution

Title
Technologist I (A)
Manager of Right-of -Way
City Engineer and Corporate Leader



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<b>Title</b>
Environmental Protection and Transportation
City solicitor and Corporate Leader Economic Development and Public Safety

External Distribution