

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

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CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 155/2026

Approved: Tuesday, July 21, 2026

I. THAT **APPROVAL BE GIVEN** to the granting of the following consent to enter:

- a) That the Consent to Enter is provided to GFL Environmental Inc., its employees, contractors, agents, and assigns (the “**Grantee**”), and to 1000651799 Ontario Inc. o/a Chatham Street Diner, the restaurant operator at 39 Chatham Street (the “**Restaurant**”), to enter upon and use part of the lands located at 40-44 University Avenue East and legally described as Lot 8, Part Lots 5 to 7, inclusive, Block N on Plan 85 as in R1375992, except Parts 2 and 4 on Plan 12T11163; s/t rights as in R1375992; s/t easement as in CE405643; Windsor (the “**Consent Lands**”) as shown in the aerial image attached as Appendix A;
- b) The term of this agreement shall commence on July 12, 2026 and terminate upon the earlier of the following:
 - I. The time that the Grantee enters into a formal license agreement with the Grantor; or
 - II. the Grantor providing thirty (30) days’ notice of its intention to use the Consent Lands for other purposes.
- c) The Grantee, the Restaurant, and/or their respective contractors, subcontractors, agents, employees and assigns may enter the Consent Lands for the purpose of placing, using, and servicing a garbage bin to facilitate the disposal of garbage and other refuse generated by the Restaurant located at 39 Chatham Street (the “**Works**”);
- d) Access to the Consent Lands will be from University Avenue East;

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- e) Prior to and during the Works, the Grantee and Restaurant will be responsible for securing the garbage bin and ensuring the public cannot access garbage or refuse as required;
- f) The Grantee and the Restaurant shall keep the Consent Lands free and clear of garbage, refuse, debris and materials at all times, and shall ensure their occupation and use of the Consent Lands will not damage the lands;
- g) The Grantee and the Restaurant agree that, during and following their occupation or use, any disturbance of the Consent Lands resulting from their occupation or use of the Consent Lands will be restored at their own cost to the satisfaction of the City Engineer or designate, acting reasonably;
- h) The Grantee will be required to indemnify and defend the City and provide proof of insurance with coverage levels satisfactory to the City, including the following minimum coverage:
 - \$5,000,000 Commercial General Liability coverage with "The Corporation of the City of Windsor" listed as an additional insured together with 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 Works must be insured with an Automobile Policy, with liability limits of no less than \$2,000,000.00 per occurrence.

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

- II. THAT the Chief Administrative Officer and the City Clerk **EXECUTE** a Consent to Enter Agreement with the Grantee and the Restaurant for access to and use of the Consent Lands, approved as to form by the City Solicitor or designate and as to content by the Executive Director of Economic Development or designate.

Report Number: CAO 155/2026
Clerk's File: APM/15084



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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Anna Ciacelli

Deputy City Clerk
July 23, 2026

Department Distribution

Coordinator of Real Estate Services
Manager of Real Estate Services
City Solicitor
Executive Director of Economic Development
Commissioner, Economic Development/Deputy CAO
Chief Administrative Officer