

**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 86/2025

Approved: Wednesday, April 30, 2025

I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (c) "City as Grantee" Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following easements:

GRANTEE:

The Corporation of the City of Windsor

Attention: City Clerk

530 - 350 City Hall Square West

Windsor, Ontario N9A 6S1

EASEMENT 1:

1)

GRANTOR 1: College Boreal d'Arts Appliques et de Technologie

304 - 633 Ouellette Avenue

Windsor, Ontario N9A 4J4

(hereinafter the "**Grantor 1**")

2) EASEMENT 1:

An 840.22 m² (9,044 sq ft) easement through the lands known municipally as 7515 Forest Glade Drive to the City owned property known as Derwent Park (7925 Forest Glade Drive) and the Children's Safety Village (7911 Forest Glade Drive)
(hereinafter the "**Easement 1**")

3)

LEGAL DESCRIPTION 1: Part of Lot 125, Concession 2, Sandwich East, being Parts 1, 3 and 4

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on Plan 12R-29790, being Part of PINs 01395-1203 LT, 01395-1175 LT and 01395-1198 LT as shown at Appendix B

4) ACQUISITION PRICE: \$1.00 plus HST, if applicable

EASEMENT 2:

- 1) Providence** **GRANTOR 2:Conseil scolaire catholique**
7515 Forest Glade Drive
Windsor, Ontario N8T 3P5
(hereinafter the “**Grantor 2**”)
- 2) EASEMENT 2:** A 107.58 m² (1,158 sq ft) easement through the lands known municipally as 7515 Forest Glade Drive to the City owned property known as Derwent Park 7925 Forest Glade Drive) and the Children’s Safety Village (7911 Forest Glade Drive)
(hereinafter the “**Easement 2**”)
- 3) LEGAL DESCRIPTION 2:** Part of Lot 125, Concession 2, Sandwich East, being Part 2 on Plan 12R-29790, being Part of PIN 01395-1174 LT as shown at Appendix B
- 4) ACQUISITION PRICE:** \$1.00 plus HST, if applicable
- 5) TERMS & CONDITIONS:** (i) The City will pay the reasonable legal fees for Grantor 1 and Grantor 2 and disbursements related to the completion of the transaction;

(ii) Transaction to be completed as soon as possible following approval by the CAO;
- 6) ACCOUNT CHARGED:** 007-2920-9998-01854-7242005 for Easement registration costs and disbursements of approximately \$200.00, plus applicable HST

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II. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (c) "City as Grantee" 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 The Corporation of the City of Windsor, its employees, contractors, agents, and assigns (the "**City**") to enter upon Part of Lot 125, Concession 2, Sandwich East, being Parts 1, 2, 3 and 4 on Plan 12R-29790, (the "**Easement / Consent Lands**") as shown in the aerial image attached as Appendix C;
- b) The term of the agreement shall begin April 17, 2025 and expire upon the registration of Easement 1 and Easement 2;
- c) The City will enter the Easement / Consent Lands for the purpose of access to the City-owned Derwent Park, located south of the Easement / Consent Lands, for the purpose of constructing a new cricket field, a concrete cricket pitch with artificial turf, wooden spectator bleachers, player benches, an irrigation system, drainage and a small utility shed (the "**Works**");
- d) In connection with the Works, the City will also need to extend water service to the Park from the existing watermain within the Grantors' parking lot for irrigation purposes, as shown on the aerial diagram attached as Appendix D. The watermain work will last several days and will not impede the Grantors use of their parking lot. The City will be responsible to restore the lands upon completion of the watermain work.
- e) Access to the Easement / Consent Lands will be from Forest Glade Drive;
- f) During the Works, the City will ensure all work, equipment and materials are stored wholly within the City lands and that no obstruction, dirt or debris will be left on the Easement / Consent Lands. The City is responsible for securing its job site and ensuring that members of the public cannot access same, by erecting fencing and/or signage as needed;
- g) The City agrees that, upon completion of the Works, should it be noted that any damage has occurred to the Easement / Consent Lands, the City will restore same at its own costs to the satisfaction of the Grantors, acting reasonably;

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h) The City will be required to provide the Grantors with indemnification and proof of insurance with the following minimal coverage:

- \$5,000,000 Commercial General Liability coverage with “College Boreal d’Arts Appliqués et de Technologie” and “Conseil scolaire catholique Providence” listed as an additional insured and cross-liability coverage and 30 days notice of cancellation.

III. THAT the transaction **BE COMPLETED** electronically, where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **EXECUTE** all documents necessary to complete the transaction, as required, and that the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction.

Report Number: CAO 86/2025
Clerk’s File: APM/14909

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
May 2, 2025

Department Distribution

Manager of Real Estate Services
City Solicitor
Acting Senior Executive Director, Corporate Services
Executive Director, Parks, Recreation and Facilities
Acting Senior Executive Director, Community Services
Commissioner, Community & Corporate Services
Manager, Strategic Operating Budget Development &
On behalf of Commissioner, Finance / City Treasurer



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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Chief Administrative Officer
