

CAO APPROVAL NOTICE

The Chief Administrative Officer approved the following recommendation:

CAO5058

APPROVED – May 2, 2019

THAT APPROVAL BE GIVEN pursuant to the Delegation of Authority By-Law Number 208-2008, section 1.30 (c), as amended (Appendix A), for Consent to Enter on privately owned property in accordance with the following terms:

1. That the Consent to Enter is provided to The Corporation of the City of Windsor (the “**City**”), for the benefit of City staff and members of the public attending Mackenzie Hall Cultural Centre, to enter upon part of the lands municipally known as 378 Brock Street, being the parking lot located at the corner of Sandwich and Brock Streets, as shown on the aerial diagram attached as Appendix B (the “**Lands**”);
2. The term of the agreement shall be from April 8, 2019 and expiring not later than October 7, 2019 (the “**Term**”);
3. City staff and members of the public attending Mackenzie Hall Cultural Centre will access the Lands for the purpose of parking;
4. The City acknowledges that 2552870 Ontario Inc. (the “**Owner**”) makes no representations or warranties as to the suitability and security of the Lands for parking;
5. The City acknowledges that the Owner is not responsible for any loss or damage to vehicles and/or their contents on the Lands;
6. The City will be responsible for snow removal, salting and maintaining of the Lands, if required;
7. Access to the Lands will be from Brock Street;
8. The City will be responsible for remitting the sum of THREE THOUSAND DOLLARS (\$3,000) per month, plus HST, to the Owner during the Term;
9. The City will be required to provide the Owner with indemnification and proof of insurance with the following minimal coverage:
 - \$2,000,000 Municipal General Liability coverage
 - “2552870 Ontario Inc.” listed as additional insured
 - Cross liability coverage

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The Chief Administrative Officer approved the following recommendation:

- 30 days' cancellation notice
- 10. Either party may terminate this agreement prior to the expiration of same provided that it notify the other party of its intent to terminate in writing not less than two (2) months prior to the date of termination;
- 11. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Agreement with the Owner approved as to form by the City Solicitor or designate and content by the Corporate Leader of Parks, Recreation, Culture and Facilities or designate.

AL/13444

APPENDICES

Appendix A - Delegation of Authority By-Law Number 208-2008

Appendix B - Land Subject to the Consent to Enter

Internal Distribution

Lease Administrator

Manager of Real Estate Services

Corporate Leader Parks, Recreation & Culture and Facilities

City Solicitor

City Treasurer

Chief Administrative Officer

External Distribution