

Phone: (519)255-6211

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

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E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The (Acting) Chief Administrative Officer approved the following recommendation:

Report Number: CAO 139/2022

Approved: June 1, 2022

- 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 the Welcome Centre Shelter for Women (the "**Welcome Centre**"), to enter part of the lands municipally known as 500 Tuscarora Street (the "**Lands**");
 - b) The Welcome Centre will enter the Lands for the purpose of receiving and setting up equipment and training and staff orientation;
 - c) The term of the agreement shall be for seventeen (17) days commencing June 1, 2022 and expiring on June 17, 2022 (the "**Term**");
 - d) Access to the Lands will be from Tuscarora Street. No access shall be allowed through the South main entrance;
 - e) Welcome Centre will ensure at all times that its staff and/or contractors shall not enter those parts of the Lands that are under construction and restricted, as shown in orange on the diagram attached as Appendix B (the "**Restricted Area**").
 - f) Welcome Centre shall ensure that no members of the public or shelter residents shall be allowed on the Lands nor shall the Welcome Centre offer any services to the public during the Term;
 - g) Welcome Centre acknowledges that the Restricted Area remains under construction and therefore noise, dust, debris and other disturbances are

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possible and may interfere with the Welcome Centre's intended use of the Lands. In the event ongoing construction prevents the Welcome Centre from using the Lands, construction shall take precedence and the Welcome Centre shall have no recourse against the City as a result of said interference;

- h) Welcome Centre will comply with the most up-to-date regulations in place under the *Emergency Management and Civil Protection Act*, as amended from time to time, regardless of the frequency of such amendments. Welcome Centre will also comply with any guidelines and best practices issued by the Province of Ontario or any other governing body in relation to limiting the spread of COVID-19;
- i) Welcome Centre acknowledges and assumes responsibility for complying with the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, S.O. 2020, c. 17, as may be amended from time to time, and all regulations, rules, and orders issued thereunder, including, without limitation, any masking requirements, physical distancing requirements, capacity limits, and proof of vaccination requirements (the "**COVID Rules**"). Welcome Centre further agrees to indemnify and hold the City harmless from any and all liability, fines, loss, claims, demands, costs and expenses arising in any way from any failure to comply with the COVID Rules;
- j) Welcome Centre will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:
 - \$2,000,000 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;

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.

- ii. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a Consent to Enter Agreement with Welcome Centre, approved as to form by the City Solicitor, or designate and as to technical content by the Executive Director of Parks & Facilities.



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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Report Number: CAO 139/2022
Clerk's File: APM/14289

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services
June 2, 2022

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