

**CITY HALL
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N9A 6S1**

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CAO APPROVAL

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

Report Number: CAO 209/2022

Approved: September 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 Enbridge Gas Inc. and its employees, agents and contractors (collectively "**Enbridge**"), to enter part of Howard Park, municipally known as 2910 Howard Avenue and legally described as Part of Lot 86 on Concession 2, as shown on Appendix B attached. (the "**Consent Lands**");
 - b) Enbridge will enter the Consent Lands with construction equipment in order to undertake integrity work on a current valve including but not limited to, brush clearing equipment, excavators, hydrovac, welding rig trucks, dump trucks, boom truck, pick-up trucks and also for staging, equipment, soil and storage (collectively the "**Works**");
 - c) The term of the agreement shall be from on September 2, 2022 until October 21, 2022 (the "**Term**");
 - d) Access to the Consent Lands will be from Grand Marais Road East;
 - e) Enbridge agrees that, upon the termination of this agreement, any disturbance of the Consent Lands resulting from the carrying out of the Works, will be restored by Enbridge at its own cost and to the satisfaction of the Executive Director of Parks and Facilities, or designate, acting reasonably;
 - f) Enbridge will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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- \$5,000,000 Commercial General Liability coverage that includes coverage for crane and overhead lifts, shoring, blasting, excavating, underpinning, demolition, pile driving, caisson work, grading, tunneling, and all work below ground surface, as well as sudden and accidental pollution 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 coverage must not exclude the Consent Lands and must specifically acknowledge the Consent Lands are included on the proof of insurance.

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 Enbridge, approved as to form by the City Solicitor, or designate and in content to the Executive Director of Parks and Facilities or designate.

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Clerk's File: APM/14289

Anna Ciacelli

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

Department Distribution

Coordinator of Real Estate Services
Manager of Real Estate Services
Commissioner, Legal & Legislative Services
Executive Director of Parks & Facilities
Commissioner, Community Services
(Acting) Chief Administrative Officer

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