

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

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CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 59/2022

Approved: March 10, 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 Windsor Rugby Football Club and its contractors, subcontractors, agents, volunteers and assigns (hereinafter collectively referred to as the "**Club**"), to enter part of the lands municipally known as 4270 Alice Street, being part of AKO Park, as shown on the aerial image attached as Appendix B (the "**Lands**");
- b) The Club will place a twenty (20') foot sea container on the Lands, for the purpose of storage for construction equipment and supplies while renovations are undertaken on the Clubhouse within AKO Park. The Clubhouse is leased by the Club from the City by lease agreement expiring September 30, 2033;
- c) The term of the agreement shall be for six (6) months commencing March 11, 2022; and expiring on September 11, 2022 (the "**Term**");
- d) Access to the Lands will be from Alice Street;
- e) The Club acknowledges that the City makes no representations or warranties as to the suitability and security of the Lands for its intended purpose;
- f) The Club agrees that, upon the termination of this agreement, any disturbance of the Lands or right-of-way, resulting from the storage of the sea container or the renovations undertaken on the Clubhouse, will be restored by the Club at its own cost and to the satisfaction of the Executive Director of Parks & Facilities, or designate, acting reasonably;



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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- g) The Club 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. The Club 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;
- h) The Club will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:
- \$5,000,000 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 the Club, approved as to form by the City Solicitor, or designate and as to technical content by the Executive Director of Parks & Facilities.

Report Number: CAO 59/2022
Clerk’s File: APM/14289

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services
March 11, 2022

Department Distribution

Lease Administrator
Manager of Real Estate Services
Commissioner, Legal & Legislative Services
Executive Director of Parks & Facilities
Commissioner, Community Services



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Chief Administrative Officer

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