

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

Phone: (519)255-6211

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WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 255/2023

Approved: Tuesday, September 19, 2023

- 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 agreements:
 - a) That the Consent to Enter agreement is provided to Habitat for Humanity Windsor-Essex Inc. and its employees, contractors, agents, volunteers and assigns (collectively "**Habitat**") to enter upon the City lands municipally known as 3324 Howard Avenue and legally described as PART LOT 2 PL 1093 SANDWICH EAST AS IN R1463257 CITY OF WINDSOR and 3326 Howard Avenue and legally described as PT LT 2 PL 1093 SANDWICH EAST AS IN R1487441; WINDSOR (the "**Properties**") and shown on the aerial image attached as Appendix B;
 - b) Habitat and/or its contractors, subcontractor, agents, employees, volunteers and/or assigns will enter the Properties for the purpose of:
 - i. Removing all salvageable exterior doors and windows for sale at the Habitat for Humanity Restore (the "**Restore**") or other Habitat programs (the "**Exterior Works**"). Said access includes permission to bring all devices, machinery, vehicles and equipment necessary for the carrying out of the Exterior Works;
 - c) The term of the agreement shall be a period which shall not exceed five (5) days and shall commence no earlier than September 15, 2023 and no later than October 31, 2023 (the "**Term**"). Habitat will work with Administration to ensure that the exterior doors and windows are not removed until demolition is imminent, in order to ensure the house is secure at all times.

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- d) Access to the Properties will be from Howard Avenue;
- e) Habitat agrees that during the Term it will make no claim, action, suit or demand of any kind whatsoever with regard to any potential hazardous substances located on the Properties;
- f) Habitat will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:
 - Commercial General Liability coverage that will include the City as an additional insured, with a cross-liability/separation of insureds clause, and a 30- day notice of cancellation provision, and in the amount of \$5 million per occurrence, to be primary and non-contributing, with proof of same to be satisfactory in form and content to the City.
 - Each vehicle, whether owned or leased and used directly or indirectly in the performance of the Work must be insured with an Automobile Policy in accordance with the laws of the Province of Ontario.

Or as such requirements that may be amended, restated and/or supplemented by the City's Risk and Insurance Department from time to time; and,

- II. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Consent to Enter agreement with Habitat for access to the Properties, approved as to form and content by the City Solicitor or designate.

Report Number: CAO 255/2023
Clerk's File: APM/14495

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
September 20, 2023



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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