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**CITY HALL
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CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 118/2024

Approved: Wednesday, May 29, 2024

I. THAT **APPROVAL BE GIVEN** pursuant to the Delegation of Authority By-Law Number 208-2008, section 1.30 (c), as amended (Appendix A), for the Consent to Enter by the City or its agents on another's Property in accordance with the following terms:

1. That the Consent to Enter is entered into with Hotel-Dieu Grace Hospital (HDGH) so that the City may enter upon part of the lands known municipally as 1427 Prince Road, Windsor, Ontario, legally described as CON 2; PT LOT 59; PLAN 40; PT PARK LOT 7; PLAN 657; PT LOTS 1-4; 175-181; 183-195; 197-207; 210- 216; PT CLOSED ALLEY & PT CLOSED STREET, as shown on the aerial diagram attached as Appendix B. (hereinafter the "**Lands**");
2. The term of the agreement shall be from May 22, 2024 and expiring on August 31, 2024;
3. The City will use the Lands for a Reference Plan that will identify the "Head Leased Premises" in the Amending Sub-Lease Agreement with HDGH;
4. The City will use the Lands to undertake a shovel test pit survey to determine the feasibility of expanding the existing west end transit terminal;
5. The City will use the Lands to drill boreholes for geotechnical investigation to determine the feasibility of expanding the existing west end transit terminal;
6. The City will indemnify HDGH and the owner of the land, Windsor Regional Hospital, for any losses suffered as result of the testing;
7. The City agrees that, upon termination of the agreement, any disturbance of the Lands resulting from its occupation will be restored at its own costs;



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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8. The City will be required to provide HDGH proof of insurance with the following minimal coverage, satisfactory to the Manager of Risk and Insurance:

- \$5,000,000 Commercial General Liability coverage
- "HDGH and WRH" listed as Additional insured
- Cross liability coverage
- 30 days' cancellation notice

and further,

II. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Consent to Enter Agreement with Hotel Dieu Grace Hospital approved as to form and content by the City Solicitor.

Report Number: CAO 118/2024
Clerk's File: APM/14706

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
May 30, 2024

Department Distribution

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Manager of Corporate Projects
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