



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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### CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 299/2023**

**Approved: Thursday, November 30, 2023**

I. THAT **APPROVAL BE GIVEN** for the LICENSE RENEWAL AGREEMENT between The Corporation of the City of Windsor (the “**City**”) and TM Mobile Inc. (“**TELUS**”) for the use of SpotCells and WiFi service at the Windsor International Aquatic and Training Centre, in accordance with the following terms:

#### **BASIC TERMS:**

- |                        |                                                                                                            |
|------------------------|------------------------------------------------------------------------------------------------------------|
| a) Licensee            | TM Mobile Inc.                                                                                             |
| b) Licensee’s Address  | 200 Consilium Place<br>Scarborough, Ontario M1H 3J3                                                        |
| c) Term                | Ten (10) Years                                                                                             |
| d) Commencement Date   | December 1, 2023                                                                                           |
| e) Termination Date    | November 30, 2033                                                                                          |
| f) Licensed Premises   | Windsor International Aquatic and Training Centre<br>(Ward 3)<br>401 Pitt Street West (Telus Site #ON4041) |
| g) Annual License Fees | \$1.00, plus HST                                                                                           |
| h) Security Deposit    | None                                                                                                       |
| i) Land Taxes          | Payable by Tenant, if assessed                                                                             |



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- j) **Utilities** Included in Annual License Fee
- k) **Permitted Use** Installation / Use SpotCell and WiFi service
- l) **Insurance**
  - General Liability Insurance
  - Minimum Limit \$2,000,000
  - Tenant's Legal Liability Insurance
  - Minimum Limit \$300,000
- m) **Renewal** Option to extend for an additional ten (10) year term on the same terms and conditions as are applicable during the original term. The term recommended represents the renewal period
- n) **Guarantor** None
- o) **Special Provisions:**
  - WiFi Service:** Upon mutual agreement between the City and TELUS, TELUS will provide free WiFi service at the Licensed Premises
  - All equipment is owned, installed and maintained by the Licensee at its own expense
  - Licensee may terminate this agreement, in whole or in part, with at least thirty (30) days written notice
  - Licensee may, without consent of the Licensor, assign its rights and obligations to any related or affiliated entity; and,

II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a Third License Amending and Renewal Agreement, to be satisfactory in form to the City Solicitor, in content to the Lease Administrator, Executive Director of Recreation and Culture and Executive Director of Parks and Facilities, and in financial content to the City Treasurer.

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Clerk's File: APM/14498



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*Anna Ciacelli*

Deputy City Clerk / Supervisor of Council Services  
November 30, 2023

### Department Distribution

Manager of Real Estate Services
Commissioner, Corporate Services (Interim)
Executive Director, Parks & Facilities
Executive Director, Recreation & Culture
Commissioner, Community Services
Commissioner, Economic Development
Chief Information Officer / Executive Director, Information Technology
On behalf of Commissioner, Finance & City Treasurer
Chief Administrative Officer

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