

CAO APPROVAL NOTICE

The Chief Administrative Officer approved the following recommendation:

CAO5104

APPROVED – May 15, 2019

THAT **APPROVAL BE GIVEN** to a lease agreement between The Corporation of the City of Windsor and Parkside Tennis Club on the following terms and conditions:

BASIC TERMS:

- | | |
|--------------------------------|---|
| a) Tenant | Parkside Tennis Club |
| b) Tenant's Address | 6 Memorial Drive
Windsor, Ontario N8X 5C8 |
| c) Commencement Date | September 1, 2019 |
| d) Termination Date | August 31, 2024 |
| e) Leased Premises | 6 Memorial Drive
Windsor, Ontario N8X 5C8 |
| f) Site Area | Approximately 68,000 square feet
(Including indoor and outdoor tennis courts) |
| g) Annual Basic Rental | September 1, 2019 to August 31, 2020
\$68,483.88 per annum, plus HST

In each subsequent year of the Term, commencing September 1, 2020, Annual Basic Rental shall increase by the average annual increase in the Consumer Price Index ("CPI") as published by Statistics Canada |
| h) Monthly Basic Rental | September 1, 2019 to August 31, 2020
\$5,706.99 per month, plus HST

In each subsequent year of the Term, commencing September 1, 2020, Monthly Basic Rental shall increase by the average annual increase in the Consumer Price Index ("CPI") as published by Statistics Canada |

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The Chief Administrative Officer approved the following recommendation:

- i) Land Taxes** N/A
- j) Utilities** Payable by Tenant (hydro, water, gas)
- k) Permitted Use** Tennis Court rental and Clubhouse
- l) Insurance**
 - General Liability Insurance
 - Minimum Limit \$5,000,000.00
 - Tenant's Legal Liability Insurance
 - Minimum Limit \$300,000.00
 - The Corporation of the City of Windsor to be listed as an additional insured and 30 days' notice of cancellation
- m) Renewal** Upon mutual consent of the Landlord and Tenant, a five (5) year option to renew, on the same terms and conditions contained herein, save and except rent
- n) Guarantor** None
- o) Special Provisions:**
 - Tenant may terminate the Lease Agreement prior to the Termination Date upon six (6) months' written notice to the Landlord
 - That ten per cent (10%) of the annual rent continue to be set aside in Reserve Account #1780 (Tennis Facility Jackson Park) to address future capital expenses for the Leased Premises
 - For the purposes of the following Special Provisions, "**Day**" means the period between 8:00 am and 10:00 pm; and "**Half Day**" means a period of 7 hours within a 24 hour period.
 - Tenant agrees to:
 - a. Organize and facilitate:
 - i. One tennis tournament for the students of all grade schools under the jurisdiction of

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- all District School Boards within Windsor and Essex County such tournament to be a minimum of three (3) Days in duration, unless otherwise specified by the Owner; and
- ii. One tennis tournament for all the students of all senior schools under the jurisdiction of all District School Boards within Windsor and Essex County, such tournament to be a minimum of three (3) Days in duration unless otherwise specified by the Owner.
- b. Provide use of the Leased Premises, at no charge, to the Windsor Indoor Games, on an annual basis each year of the Term.
- c. Host and actively promote, to the satisfaction of the Owner, and pay all costs incidental to such hosting and promotion, two provincial qualifying tournaments in each year of the Term, such tournaments to be a minimum of two (2) Days plus one (1) Half Day in duration unless otherwise specified by the organizers of such tournaments.
- d. Operate three (3) tennis clinics, each to be a minimum of four hours in duration, in parks within the City of Windsor, in each year of the Term, such clinics to be scheduled and coordinated with the approval of the Owner's Department of Recreation & Culture.
- e. Provide access to, at no charge, the outside facilities of the Leased Premises, and to the lounges and cafeteria of the indoor facilities, to the members of the Windsor Lawn Bowling Association during its annual tournament and at such other times as are mutually arranged by the Tenant and the Windsor Lawn Bowling Association.

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The Chief Administrative Officer approved the following recommendation:

- f. At the request of the Executive Director of Recreation & Culture, to annually review the terms of these Special Provisions and the programs which have been planned in accordance with it, and to make any modifications to same as mutually agreed upon.

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a Lease Agreement, to be satisfactory in form to the City Solicitor, in content to the Lease Administrator and the Executive Director of Recreation & Culture, and in financial content to the City Treasurer.

SR2019

APPENDICES

A - By-Law 208-2008, 1.30 (a) 'City as Lessor' Leases and/or Assignments.

Internal Distribution

Lease Administrator
Manager of Real Estate Services
City Treasurer
Executive Director, Recreation & Culture
City Solicitor
Chief Administrative Officer

External Distribution