



OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
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Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Acting Chief Administrative Officer approved the following recommendation:

Report Number: CAO 116/2022

Approved: May 5, 2022

I. THAT **APPROVAL BE GIVEN** for a license agreement between The Corporation of the City of Windsor (the “**Corporation**”) and the Greater Essex County District School Board (“**GECDSB**”) for the purpose of overflow parking in the parking lots adjacent to Talbot Trail Public School, Bellewood Public School and Honourable W.C. Kennedy Collegiate, in accordance with the following terms:

BASIC TERMS:

- | | |
|------------------------------|--|
| a) Licensee | Greater Essex County District School Board |
| b) Licensee’s Address | 451 Park Street West
P.O. Box 210
Windsor, ON N9A 6K1 |
| c) Commencement Date | September 1, 2022 |
| d) Term | Ten (10) Months, from Monday at 7:30 am through to Friday at 6:00 pm save and except Statutory holidays and the following GECDSB closures: December 23, 2022 to January 9, 2023 and March 13 to March 17, 2023 |
| e) Termination Date | June 30, 2023 |



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f) Licensed Lands

(i) The parking lot in Captain John Wilson Park, known municipally as 3950 Ducharme Street, as shown on the aerial diagram attached as Appendix B (the “**Capt Wilson Lot**”)

(ii) The parking lot located at the northeast limit of Bellewood Park, known municipally as 0 Youngstown Street, as shown on the aerial diagram attached as Appendix C (the “**Bellewood Lot**”)

(iii) The parking lot south of the Field House in Jackson Park, known municipally as 2365 McDougall Avenue, as shown on the aerial diagram attached as Appendix D (the “**Field House Lot**”)

Hereinafter collectively the “**Licensed Lands**”

g) License Fee

Nil

h) Security Deposit

None

i) Land Taxes

Nil

j) Utilities

Nil

k) Permitted Use

Overflow Parking

l) Insurance

GECDSD will be required to provide the City with Indemnification and proof of insurance with the following minimal coverage, satisfactory to the City’s Risk and Insurance Department:

\$5,000,000 General Liability coverage

“The Corporation of the City of Windsor” listed as additional insured

Cross liability coverage

30 days’ notice of cancellation



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In the event that the GECDSB is self-insured, it covenants and agrees to provide a letter confirming that it is self-insured in the amount of at least Five Million Dollars (\$5,000,000) per occurrence and that it will provide at least 30 days' notice should the foregoing change.

m) Renewal

Upon two months' written notice by Licensee of its intent to renew, and upon consent of Licensor, an option to renew for a further school year, from September 1, 2023 to June 30, 2024, from 7:30 am to 6:00 pm, Monday through Friday

n) Guarantor

None

o) Special Provisions:

Licensee acknowledges that Licensor makes no representations or warranties as to the suitability and security of the Licensed Lands for parking

Licensee acknowledges that Licensor is not responsible for any loss or damage to vehicles and/or their contents on the Licensed Lands

Licensee will be responsible for snow removal and salting on the Licensed Lands Monday at 7:30 am through to Friday at 6:00 pm save and except Statutory holidays and the following Board closures: December 23, 2022 to January 9, 2023 and March 13 to March 17, 2023. Licensor will be responsible for snow removal and salting at all other times throughout the Term

Licensee agrees that, upon termination of the agreement, any disturbance of the Licensed Lands resulting from damage caused to the Licensed Lands by the Licensee, but not including normal wear and tear associated with regular use of Licensed Lands, will be restored at its own costs



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to the satisfaction of the Executive Director of Parks and Facilities or designate acting reasonably. For greater certainty, the Licensed Lands will be inspected by the Executive Director of Parks and Facilities or designate prior to the commencement of the Term and the condition of the Licensed Lands will be documented. The Licensee and/or its contractors and the Licensor and/or its contractors are each responsible for identifying and reporting damage as it is discovered to the Executive Director of Parks and Facilities; and,

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

Report Number: CAO 116/2022

Clerk's File: APM/14379

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services
May 6, 2022

Department Distribution

Lease Administrator
Manager of Real Estate Services
Commissioner, Legal & Legislative Services
Executive Director of Parks & Facilities
Commissioner, Community Services
(Acting) Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
(Acting) Chief Administrative Officer

External Distribution