



OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
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WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 24/2019

Approved: July 10, 2019

I. THAT **APPROVAL BE GIVEN** for a license renewal agreement between The Corporation of the City of Windsor and the Greater Essex County District School Board for the purpose of overflow parking in the parking lots adjacent to Hon. W. C. Kennedy Collegiate Institute, Talbot Trail Public School and Bellewood Public School, 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, 2019 |
| 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 Board closures: December 23, 2019 to January 5, 2020 and March 14 to March 22, 2020 |
| e) Termination Date | June 30, 2020 |

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- f) **Licensed Lands**
- (i) 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 B (the “**Field House Lot**”)
 - (ii) The parking lot in Captain John Wilson Park, known municipally as 3950 Ducharme Street, as shown on the aerial diagram attached as Appendix C (the “**Capt Wilson Lot**”)
 - (iii) 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 D (the “**Bellewood 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** GECDSB will be required to provide the City with indemnification and proof of insurance with the following minimal coverage, satisfactory to the Manager of Risk and Insurance:
- \$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** None
- 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, 2019 to January 5, 2020 and March 14 to March 22, 2020. 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 the regular use of the Licensed Lands, will be restored at its own costs to the satisfaction of the Corporate Leader of Parks, Recreation & Culture and Facilities or designate acting reasonably. For greater certainty, the Licensed Lands will be inspected by the Manager of Parks Operations 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



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Licensor and/or its contractors are each responsible for identifying and reporting damage as it is discovered to the Manager of Parks Operations

Licensee acknowledges that the Licensor will be undertaking construction of a greenhouse within Jackson Park (the “**Jackson Park Project**”). The Licensee further acknowledges that, as a result of the Jackson Park Project, access to the Field House Lot may be limited or restricted at various times throughout the Term of the agreement. The Licensee will not be responsible for snow removal and salting of the Field House Lot during any time when its access to the Field House Lot is restricted

II. AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a License Agreement, to be satisfactory to the City Solicitor in form, to the Lease Administrator and Manager of Community Development in content, and in financial content to the City Treasurer.

Report Number: CAO 24/2019
Clerk's File: ST/13073

Steve Vlachodimos

Deputy City Clerk/Senior Manager of Council Services
July 11, 2019

Department Distribution

Lease Administrator
Manager of Real Estate Services
City Solicitor and Corporate Leader, Economic Development and Public Safety
Corporate Leader of Parks, Recreation, Culture and Facilities
Financial Planning Administrator



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Financial Planning Administrator
Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology
Chief Administrative Officer

External Distribution