



OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 43/2022

Approved: February 18, 2022

I. THAT **APPROVAL BE GIVEN** to enter into a license agreement with the Windsor Minor Football Association for exclusive use of space in the building located in Mic Mac Park, Windsor, in accordance with the following terms:

BASIC TERMS:

- | | |
|----------------------------------|--|
| a) Licensee | Windsor Minor Football Association |
| b) Commencement Date | April 1, 2022 |
| c) Term | One (1) year |
| d) Termination Date | March 31, 2023 |
| e) Operating Season | Licensee may conduct business relating to the operation of a Football Program including a concession stand to support Licensee-run events from May 1, 2022 to November 30, 2022 |
| f) Non-Operating Season | Licensee may use the Licensed Space for the storage of equipment related to the operation of a Football Program from April 1, 2022 to April 30, 2022 and December 1, 2022 to March 31, 2023. Licensee further acknowledges that Parks' staff may not conduct regular Parks maintenance, including snow removal during the Non-Operating Season |
| g) Area of Licensed Space | 623.5 square feet |



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- | | |
|-------------------------------|---|
| h) Annual License Fee | \$1,621.10 plus HST |
| i) Monthly License Fee | \$ 135.09, plus HST |
| j) Security Deposit | None |
| k) Land Taxes | Not applicable |
| l) Utilities | Included in license fee |
| m) Permitted Use | Equipment Storage Space |
| n) Insurance | General Liability Insurance
Minimum Limit \$2,000,000.00
Licensee's Legal Liability Insurance
Minimum Limit \$300,000.00
The Corporation of the City of Windsor to be listed as
additional insured and 30 days' notice of cancellation |
| o) Renewal | One (1) year option to renew on the following
conditions: <ul style="list-style-type: none">(i) Licensee provides written notice of its intent to exercise the renewal option no later than three (3) months prior to the expiration of the original Term;(ii) Licensor may arbitrarily or unreasonably withhold consent, failing which, the option is void;(iii) Any renewal will be on the same terms and conditions herein, save and except the license fee, which will be negotiated and mutually agreed upon by the parties within the thirty day period following provision of notice of the Licensee's intent to exercise its option, failing such mutual agreement, the option is void |



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The term recommended represents the renewal period

p) Guarantor

None

q) Special Provisions:

Licensee shall comply with the most up-to-date regulations in place under the *Emergency Management and Civil Protection Act*, as amended from time to time, regardless of the frequency of such amendments. Licensee shall also comply with any guidelines and best practices issued by the Province of Ontario or any other governing body in relation to limiting the spread of COVID-19

Licensee acknowledges and assumes responsibility for complying with the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17*, as may be amended from time to time, and all regulations, rules, and orders issued thereunder, including, without limitation, any masking requirements, physical distancing requirements, capacity limits, and proof of vaccination requirements (the “**COVID Rules**”). Licensee further agrees to indemnify and hold harmless The Corporation of the City of Windsor from any and all liability, fines, loss, claims, demands, costs and expenses arising in any way from any failure to comply with the COVID Rules shall comply with the most up-to-date regulations in place under the *Emergency Management and Civil Protection Act*, as amended from time to time, regardless of the frequency of such amendments. Licensee shall also comply with any guidelines and best practices issued by the Province of Ontario or any other governing body in relation to limiting the spread of COVID-19

Licensee can access the Licensed Space during the regular operational hours of the Park, in accordance with City By-law No. 131-2019



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Licensee is granted a non-exclusive license through the Park during the Term, strictly for the purpose of accessing the Licensed Space

II. AND 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 the Executive Director of Recreation & Culture, and in financial content to the City Treasurer.

Report Number: CAO 43/2022
Clerk's File: TBD

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services
February 18, 2022

Department Distribution

Lease Administrator
Manager of Real Estate Services
Commissioner, Legal & Legislative Services
Senior Manager of Parks
Executive Director of Recreation & Culture
Commissioner, Community Services
Deputy Treasurer – Financial Accounting & Corporate Controls
Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Chief Administrative Officer

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