



OFFICE OF THE CITY CLERK COUNCIL SERVICES

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Phone: (519)255-6211

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 49/2022

Approved: March 8, 2022

- I. THAT **APPROVAL BE GIVEN** for the third renewal of the lease agreement between The Corporation of the City of Windsor and Centre for Seniors Windsor for the lease of part of the WFCU Centre located in part of the 1st floor, immediately west of the Community Centre / Pool Entrance at 8787 McHugh Street, in accordance with the following terms:

BASIC TERMS:

- | | |
|----------------------|---|
| a) Tenant | Centre for Seniors Windsor |
| b) Tenant's Address | 8787 McHugh Street
Windsor, Ontario N8S 0A1 |
| c) Term | 3 years |
| d) Commencement Date | April 1, 2022 |
| e) Termination Date | March 31, 2025 |
| f) Leased Premises | Part of the 1 st floor, immediately west of the
Community Centre / Pool Entrance
WFCU Centre
8787 McHugh Street
Windsor, Ontario N8S 0A1 |
| g) Site Area | Approximately 3,650 square feet (rentable) |



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h) Annual Basic Rental

April 1, 2022 to March 31, 2023
\$36,909.21 per annum, plus HST

In each subsequent year of the Term, commencing April 1, 2023, Annual Basic Rental shall increase by the average annual increase in the Consumer Price Index (“CPI”) as published by Statistics Canada

i) Monthly Basic Rental

April 1, 2022 to March 31, 2023
\$3,075.77 per month, plus HST

In each subsequent year of the Term, commencing April 1, 2023, Monthly Basic Rental shall increase by the average annual increase in the Consumer Price Index (“CPI”) as published by Statistics Canada

j) Security Deposit

None

k) Land Taxes

Exempt (Municipal Capital Facility)

l) Utilities

Included in Basic Rent

m) Permitted Use

Office / Meetings / Workshops / Drop In Centre

n) Insurance

General Liability Insurance
Minimum Limit \$2,000,000
Tenant’s Legal Liability Insurance
Minimum Limit \$300,000

The Corporation of the City of Windsor to be listed as an additional insured, include cross liability and 30 days’ notice of cancellation

o) Overholding Rate

\$6,151.53 per month, plus HST

p) Renewal

The original Lease Agreement provided for three (3) additional terms of three (3) years each, under the same terms and conditions of the original Lease Agreement, save and except rent, and no further



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right to extend the term. The term recommended represents the 3rd renewal period

q) Guarantor

None

r) Special Provisions:

Tenant 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. Tenant 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

Tenant 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**"). Tenant 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

Tenant acknowledges that it shall be required to execute a Municipal Capital Facility agreement in connection with the Leased Premises; and,

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



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- III. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a Municipal Capital Facility agreement with Centre for Seniors Windsor, to be satisfactory in form to the City Solicitor, and satisfactory in financial content to the City Treasurer; and,
- IV. THAT the City Solicitor **BE DIRECTED** to amend By-Law 161-2008 to accurately identify the location of the Leased Premises.

Report Number: CAO 49/2022

Clerk's File: APM/14323

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services

March 10, 2022

Department Distribution

Lease Administrator
Manager of Real Estate Services
Commissioner, Legal & Legislative Services
Manager of Arenas & Recreation Facilities
Executive Director of Recreation & Culture
Commissioner, Community Services
Deputy Treasurer – Taxation, Treasury & Financial Projects
Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Chief Administrative Officer

External Distribution