

**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 47/2025

Approved: Tuesday, April 1, 2025

I. THAT **APPROVAL BE GIVEN** to enter into a license agreement with the Windsor Athletic Association for exclusive use of space at the Malden Park Yard, off Matchette Road, Windsor, in accordance with the following terms:

BASIC TERMS:

- | | |
|--------------------------------|--|
| a) Licensee | Windsor Athletic Association |
| b) Commencement Date | March 1, 2025 |
| c) Term | One (1) year |
| d) Termination Date | February 28, 2026 |
| e) Operating Season | Licensee may conduct business relating to the operation of a Baseball Program including a concession stand to support Licensee-run events from May 1, 2025 to October 31, 2025 |
| f) Non-Operating Season | Licensee may use the Licensed Space for the storage of equipment related to the operation of a Baseball Program from March 1, 2025 to April 30, 2025 and November 1, 2025 to February 28, 2026 |
| g) Licensed Space | Storage Space 560 square feet Washroom Space 50 square feet |

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within Malden Park Yard

- h) Area of Licensed Space** 610 square feet
- i) Annual License Fee** \$1,830.00 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:
 - i. Licensee must provide written notice of its intent to exercise the renewal option no later than three (3) months prior to the expiration of the Term of this Lease;
 - ii. Licensor may arbitrarily or unreasonably withhold consent to the renewal, failing which, the option shall be void;
 - iii. Any renewal shall be on the same terms and conditions set forth herein, save and except the License Fee, which will be subject to negotiation and mutual agreement by the parties within the thirty (30) day period following the Licensee's notice of intent to exercise the renewal option. If

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the parties cannot reach a mutual agreement on the License Fee within this thirty (30) day period, the renewal option shall be void.

p) Guarantor

None

q) Special Provisions:

Licensee can access the Licensed Space during the regular operational hours of the Park (5:00 am to 11:00 pm), in accordance with City By-law No. 131-2019

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

Licensee is responsible for cleaning and maintaining the washroom space within the Licensed Space at its own cost

The Licensee acknowledges its obligations in accordance with City By-law No. 131-2019 and City By-law No. 113-2006, and specifically that it shall not possess, consume, serve or sell alcohol, or engage in smoking any lighted or heated equipment used to smoke or vaporize any tobacco or non-tobacco product, within the Licensed Space; and,

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

Report Number: CAO 47/2025
Clerk's File: APM/14908

Anna Ciacelli

Deputy City Clerk / Supervisor of Council Services
April 1, 2025



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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Department Distribution

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|---|
| Acting Lease Administrator |
| Manager of Real Estate Services |
| City Solicitor |
| Acting Senior Executive Director, Corporate Services |
| Executive Director, Parks, Recreation and Facilities |
| Acting Senior Executive Director, Community Services |
| Commissioner, Community Services |
| Manager, Strategic Operating Budget Development and Control |
| Commissioner, Finance / City Treasurer |
| Chief Administrative Officer |