

**CITY HALL  
WINDSOR, ONTARIO  
N9A 6S1**

**Phone: (519)255-6211**

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**E-mail: [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)**

**WEBSITE: [www.citywindsor.ca](http://www.citywindsor.ca)**

## **CAO APPROVAL**

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 147/2025**

**Approved: Wednesday, August 6, 2025**

I. THAT **APPROVAL BE GIVEN** to enter into a license agreement between The Corporation of the City of Windsor and Windsor Essex Cricket League for exclusive use of part of Optimist Memorial Park for the new batting cage in accordance with the following terms:

### **BASIC TERMS:**

- |                                  |                                                                                                                                                                                                                     |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>a) Licensee</b>               | Windsor Essex Cricket League                                                                                                                                                                                        |
| <b>b) Licensee's Address</b>     | 1250 Lyoness Court, Windsor ON N9J 3Y6                                                                                                                                                                              |
| <b>c) Commencement Date</b>      | August 1, 2025                                                                                                                                                                                                      |
| <b>d) License Term</b>           | Five (5) years                                                                                                                                                                                                      |
| <b>e) Termination Date</b>       | July 31, 2030                                                                                                                                                                                                       |
| <b>f) Permitted Use</b>          | Use of the batting cage by the Licensee                                                                                                                                                                             |
| <b>g) Licensed Space</b>         | A 3,893.04 square foot area within Optimist Memorial Park, as shown on the aerial diagram attached as Appendix A                                                                                                    |
| <b>h) Area of Licensed Space</b> | 3,893.04 square feet                                                                                                                                                                                                |
| <b>i) Operating Season</b>       | Licensee acknowledges that Parks Operating Season runs May 1 <sup>st</sup> to October 31 <sup>st</sup> each year. Licensee further acknowledges that between Parks Non-Operating Season of November 1 <sup>st</sup> |

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through April 30<sup>th</sup>, Parks' staff may not conduct regular Parks maintenance, including snow removal and the Licensed Space may be inaccessible

**j) Annual License Fee**

\$1.00, plus HST

**k) Security Deposit**

\$1,500 (see Special Provisions)

**l) Land Taxes**

N/A

**m) Utilities**

In the event the Licensee requires hydro or other utility services, the locations of which are to be pre-approved by the Executive Director of Parks, Recreation and Facilities or designate, the costs for all such installations by a licensed electrician and associated permit costs, as well as monthly charges therefor, are to be borne solely by the Licensee

**n) Insurance**

General Liability Insurance  
Minimum Limit \$5,000,000.00 per occurrence  
The Corporation of the City of Windsor to be listed as additional insured and 30 days' notice of cancellation. The policy shall contain a cross-liability/separation clause

**o) Renewal**

A five (5) year option to renew on the following conditions:

- (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) Licenser may arbitrarily or unreasonably withhold consent to renew the license in which case the option to renew is void;

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- (iii) Any renewal will be on the same terms and conditions herein, save and except the security deposit, 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

**p) Guarantor**

None

**q) Special Provisions:**

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

All maintenance and repair costs for the batting cage will be borne by the Licensee

Licensee agrees to indemnify and hold the City harmless for any and all claims arising from the existence or use of the batting cage

Licensee acknowledges that it is required to inspect and maintain the batting cage to ensure it is reasonably safe for users of the batting cage and its surroundings

Licensee will pay a security deposit of \$1,500.00, which will be held for the License Term in the Deposits account 001-1250. The security deposit will be used to rectify any deficiencies related to the Licensed Space noted by Parks' staff that the Licensee fails to remedy within the timeline prescribed by the Manager of Parks Operations, or designate. In the event that the Licensee abandons the Licensed Space, the cost of removal of the batting cage and restoration of the Licensed Space will be paid from the security deposit

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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,

III. 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 and Facilities, and satisfactory in financial content to the City Treasurer.

Report Number: CAO 147/2025  
Clerk's File: APM/14908

*Anna Ciacelli*

Deputy City Clerk / Supervisor of Council Services  
August 7, 2025

Department Distribution

Acting Lease Administrator
Manager of Real Estate Services
City Solicitor
Commissioner, Corporate Services
Executive Director, Parks, Recreation & Facilities
Commissioner, Community Services
Manager, Strategic Operating Budget Development & Control
On behalf of Commissioner, Finance & City Treasurer
Chief Administrative Officer