



Rogers Communications Cell Tower Lease - 418 N Pasqua St

Date	March 9, 2022
To	Executive Committee
From	Financial Strategy & Sustainability
Service Area	Land, Real Estate & Facilities
Item No.	EX22-27

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Approve the City of Regina (City) to enter into an agreement with Rogers Communications Inc. for the lease of a portion of the City-owned property located at 480 N Pasqua Street as outlined on the attached Appendix A, consistent with the terms and conditions stated in this report.
2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the Agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the Agreement.
3. Authorize the City Clerk to execute the Agreement upon review and approval by the City Solicitor.
4. Approve these recommendations at its meeting on March 16, 2022, following the required public notice.

ISSUE

Rogers Communications Inc. (Rogers) has contacted the City asking to locate a new cellular tower near the intersection of 9th Avenue North and Pasqua Street. Administration has reviewed the location and recommends proceeding with a lease to Rogers as outlined in this report.

When considering the lease of City-owned property, standard procedure for Administration is to ensure that the property is made publicly available. In this case, the space is being provided without a public offering, which requires City Council approval.

IMPACTS

Financial Impacts

The proposed lease is at market value. The annual rate of \$20,000 includes a 10 per cent increase upon each five-year renewal period. Rogers would also be responsible for all property tax, which is estimated at \$1,275 annually.

Policy/Strategic Impacts

Access to reasonable telecommunications has been deemed to perform an essential role in the maintenance of the identity and sovereignty of Canada as per Section 7 of the *Telecommunications Act*. The Act states that the Canadian telecommunications policy has an objective to “render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada;”.

Environmental Impacts

City Council set a community goal for the City of achieving net zero emissions and sourcing of net zero renewable energy by 2050. In support of this goal, City Council asked Administration to provide energy and greenhouse gas implications of recommendations so that Council can evaluate the climate impacts of its decisions.

The proposed lease involves the construction of a new cellular tower on City-owned property. Although difficult to quantify at this stage, the construction of any new infrastructure contributes to additional greenhouse gas (GHG) emissions in two ways. First, producing building materials and the construction process itself are both energy intensive and generate emissions. Second, there are also GHG emissions associated with the lifecycle of the cellular tower.

OTHER OPTIONS

The City could choose to not proceed with a lease of property to Rogers for the purpose of a cellular tower. This is not the recommended option as Rogers has noted a significant need for an additional tower in this area to provide consistent and reliable service to their telecommunications customers.

COMMUNICATIONS

Public notice is required for City Council to approve the lease of City-owned property without public

offering. Notice regarding this proposal has been advertised in accordance with public notice requirements.

Rogers will be informed of any decisions of the Executive Committee and City Council.

DISCUSSION

The proposed cell tower will be located at 480 N Pasqua Street, which is close to the intersection of Pasqua Street and 9th Avenue North, see Appendix A. Rogers originally provided three locations at this corner to review, and this was determined to be the most suitable location as the parcel houses the North Zone Pump Station at the northern end of the parcel and the adjacent parcel to the south already houses another communications tower located directly adjacent to the building located there. This is a generic parcel of land that is zoned Public Service and cellular towers are a permitted use in all City zones. The lease area will be 20m x 20m with a 5m wide access road off an existing access on Pasqua Street. The lease area will include a 35m monopole style tower, an alarmed and electronically monitored walk-in equipment cabinet and the entire compound will be surrounded by a 1.8m high chain link security fence with a locked gate access point at the base of the tower.

Rogers has completed public consultation for the proposed installation as per Innovation, Science and Economic Development (ISED) Canada's process. A public notice advertisement was placed in the Regina Leader-Post on January 13, 2022 and a notification package was mailed to all property owners within a radius of three times the height of the tower plus the width of the lease area. As the proposed tower is 35m in height and the proposed lease area is 20m wide, this made for a total radius of notification of 125m from the lease centre which resulted in a total of 44 notification packages being mailed. The notification period closed on February 13, 2022, and Rogers advised only one response was received and was regarding the site access.

The proposed lease is for an initial five-year term with three options to renew for an additional five years for a total of 20 years. The agreement requires that Rogers begin payments of the lease consideration either upon construction of the tower or on the first anniversary of the lease, whichever is sooner. The agreement has been reviewed and approved by the City Solicitor.

The construction of new cellular towers is a vital part of providing access to reasonable telecommunications to all residents. Administration is recommending the approval of the lease.

DECISION HISTORY

This lease has never been before City Council.

The recommendations contained within this report require City Council approval.

Respectfully submitted,

Respectfully submitted,



Shauna Bzdel, Director, Land, Real Estate & Facilities

2/17/2022



Barry Lacey, Exec. Director, Financial Strategy & Sustainability

2/24/2022

Report prepared by: Sherri Hegyi, Real Estate Officer

ATTACHMENTS

Appendix A - 480 N Pasqua St