



Finance & Administration Committee

**Wednesday, June 13, 2018
4:00 PM**

Henry Baker Hall, Main Floor, City Hall



OFFICE OF THE CITY CLERK

Special Public Agenda Finance & Administration Committee Wednesday, June 13, 2018

APPROVAL OF PUBLIC AGENDA

ADOPTION OF MINUTES

Finance & Administration Committee - Public - Jun 5, 2018 4:00 PM

ADMINISTRATION REPORTS

FA18-12 Supplemental Report FA18-8, FA18-9, FA18-10, FA18-11- Lease of City Property to Rogers Communications Inc.

Recommendation

That this report be received and filed.

TABLED REPORTS

FA18-8 Lease of City Property at 1601 North Pasqua Street to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 1601 North Pasqua Street (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-9 Lease of City Property at 2950 Harding Street to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 2950 Harding Street (Appendix A) to Rogers Communications Inc. be approved.



OFFICE OF THE CITY CLERK

2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-10 Lease of City Property at 3310 Lakeview Avenue to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 3310 Lakeview Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-11 Lease of City Property at 4335 4th Avenue to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 4335 4th Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

ADJOURNMENT

AT REGINA, SASKATCHEWAN, TUESDAY, JUNE 5, 2018

AT A MEETING OF FINANCE & ADMINISTRATION COMMITTEE
HELD IN PUBLIC SESSION

AT 4:00 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Councillor Bob Hawkins, in the Chair
Councillor Jason Mancinelli
Councillor Barbara Young
Councillor Sharron Bryce

Also in Attendance: Council Officer, Ashley Thompson
Legal Counsel, Jana-Marie Odling
Executive Director, City Planning & Development, Diana Hawryluk
Executive Director, Financial & Corporate Services, Barry Lacey
Manager, Current Planning, Fred Searle
Manager, Real Estate, Keith Krawczyk
Senior City Planner, Ben Mario

APPROVAL OF PUBLIC AGENDA

Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted.

ADOPTION OF MINUTES

Councillor Barbara Young moved, AND IT WAS RESOLVED, that the minutes for the meeting held on May 8, 2018 be adopted, as circulated.

ADMINISTRATION REPORTS

FA18-7 Heritage Building Rehabilitation Program (18-HBRP-02) 10-1651 Anson Road –
St. Chad's Chapel and College

Recommendation

1. That a Tax Exemption for Unit 10, Condo Plan No, 102015762, addressed at 10-1651 Anson Road be approved in an amount equal to the lesser of:
 - a) 50 per cent of eligible costs for the work completed on Unit 10 and the common property of Unit 10 as described in the conservation plan in Appendix B; or
 - b) An amount equal to the total property taxes payable on Unit 10 for 10 years.

2. That the provision of the property tax exemption be subject to the following conditions:
 - a) Eligibility for the property tax exemption includes the requirement that the property possesses and retains its formal designation as a Provincial Heritage Property in accordance with *The Heritage Property Act*.
 - b) The Unit 10 property owner shall submit detailed written documentation of payments made for the actual costs incurred (i.e. itemized invoices and receipts) in the completion of the identified conservation work as described in Appendix B. In the event the actual costs exceed corresponding estimates by more than 10 per cent the property owner shall provide full particulars as to the reason(s) for any cost overrun or portion thereof, if considered not to be reasonably or necessarily incurred for eligible work.
 - c) The work that is completed and invoices submitted by September 30 each year would be eligible for an exemption the following year for up to 50 per cent of the cost of approved work.
3. That the City Solicitor be instructed to prepare the necessary agreement and authorizing bylaw for the restoration covenant and property tax exemption as detailed in this report.
4. That the Executive Director of City Planning and Development or designate be authorized under the tax exemption agreement to make all determinations regarding reimbursements of the costs incurred for work done to the property based on the City's Heritage Building Rehabilitation Program and the Conservation Plan for the property (Appendix B to this report).
5. That the Executive Director of City Planning and Development or designate be authorized to apply to the Government of Saskatchewan on behalf of the property owner for any exemption of the education portion of the property taxes that is \$25,000 or greater in any year during the term of exemption.
6. That this report be forwarded to the June 25, 2018 meeting of City Council for approval.

Lee Forsberg, representing St. Chad's Chapel and College, answered questions from the Committee.

Councillor Jason Mancinelli moved, AND IT WAS RESOLVED, that the recommendations contained in the report be concurred in.

Reports FA18-8, FA18-9, FA18-10 and FA18-11 were considered concurrently at the call of the chair.

FA18-8 Lease of City Property at 1601 North Pasqua Street to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 1601 North Pasqua Street (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-9 Lease of City Property at 2950 Harding Street to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 2950 Harding Street (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-10 Lease of City Property at 3310 Lakeview Avenue to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 3310 Lakeview Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

FA18-11 Lease of City Property at 4335 4th Avenue to Rogers Communications Inc.

Recommendation

1. That the lease of the City of Regina (City) owned property located at 4335 4th Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

Councillor Sharron Bryce moved that the recommendations contained in reports FA18-8, FA18-9, FA18-10 and FA18-11 be concurred in.

Councillor Sharron Bryce withdrew her motion of concurrence.

Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that reports FA18-8, FA18-9, FA18-10 and FA18-11 be tabled to a special meeting of the Finance and Administration Committee on June 13, 2018 at 4:00 p.m. and that Administration provide a supplementary report to address the following questions:

1. **Do the towers make a noise that would be noticed by the surrounding residences?**
2. **At what point does the public consultation required by Industry Canada occur? Is it a regulatory requirement to have the lease signed prior to public consultation or is it a business preference?**
3. **What consultations has Rogers undertaken with other carriers in the area in regards to colocation as per the requirements of Industry Canada and what was the outcome of those consultations?**

ADJOURNMENT

Councillor Mancinelli moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 4:45 p.m.

Chairperson

Secretary

June 13, 2018

To: Members
Finance & Administration Committee

Re: Supplemental Report FA18-8, FA18-9, FA18-10, FA18-11- Lease of City Property to
Rogers Communications Inc.

RECOMMENDATION

That this report be received and filed.

CONCLUSION

The information contained in this report addresses the request from Finance and Administration Committee respecting additional information required prior to approval.

BACKGROUND

At the Tuesday, June 5, 2018 meeting of the Finance and Administration Committee, Councillor Sharron Bryce moved, AND IT WAS RESOLVED that reports FA18-8, FA18-9, FA18-10 and FA18-11 be tabled to a special meeting of the Finance and Administration Committee on June 13, 2018 at 4:00 p.m. and that Administration provide a supplementary report to address the following questions:

1. Do the towers make a noise that would be noticed by the surrounding residents?
2. At what point does the public consultation required by Industry Canada occur? Is it a regulatory requirement to have the lease signed prior to public consultation or is it a business preference?
3. What consultations has Rogers undertaken with other carriers in the area in regards to colocation as per the requirements of Industry Canada and what was the outcome of those consultations?

COURSE OF ACTION

1. Do the towers make a noise that would be noticed by the surrounding residences?
 - No. The towers do not make any noise from ground level. If you were to press your ear to the tower, you may hear a slight hum. This, however, is not suggested.
2. At what point does the public consultation required by Industry Canada occur? Is it a regulatory requirement to have the lease signed prior to public consultation or is it a business preference?
 - The public consultation process is outlined in *CPC-2-0-03- Radiocommunication and Broadcasting Antenna Systems* policy/procedure document.

- The broad elements of the process are as follows:
 - Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures.
 - Contacting the land-use authority (LUA) to determine local requirements regarding antenna systems.
 - Undertaking public notification and addressing relevant concerns, whether by following local LUA requirements or Innovation, Science and Economic Development Canada's (ISED), formally known as Industry Canada, default consultation process, as is required and appropriate.
 - Satisfying ISED Canada's general and technical requirements.
 - Completing the construction.
 - ISED Canada's default consultation process will be followed.
 - The actual timing of when this is required to happen is not regulated by ISED Canada's process.
 - Rogers has advised that it is a business decision to secure the lease of the land first. They have stated if they were to begin public consultation without having a lease in place this becomes very costly.
3. What consultations has Rogers undertaken with other carriers in the area in regards to collocation as per the requirements of Industry Canada and what was the outcome of those consultations?
- Rogers has contacted other carriers in the area (TELUS, SaskTel, Freedom, etc.) and requested if they are able to collocate on their tower. Consideration from these proposals is the height, lease agreement, structure type, etc. Rogers has stated that if other carriers are only able to provide a height of 10m, Rogers will not be able to meet their coverage objectives (i.e. trees/buildings in the way) and will therefore not be able to collocate. If the current lease agreement is coming to an end, this will also not work for Rogers as they need the long term investment of their equipment. If the tower is not able to host their equipment due to the weight, this is also a factor that is taken into consideration. In this situation, none of the locations for collocation were favourable to Rogers, so they have instructed their land acquisition company to move forward with the acquisition of new locations.

COMMUNICATIONS

The process for constructing a new telecommunications tower is highly regulated by the federal government. All carriers are bound by a process while selecting the location of a new tower that includes acceptable coverage for the service area, availability of sites, technical limitations and safety. Prior to making the decision to acquire and construct a new tower, carriers are required to investigate sharing or using existing infrastructure.

Telecommunications carriers are also obligated to comply with several other federal regulations including compliance with Health Canada's Safety Code 6 guideline for the protection of the general public, compliance with radio frequency immunity criteria, notification of nearby broadcasting stations, environmental considerations, and Transport Canada/NAV CANADA aeronautical safety responsibilities.

If approved, the City of Regina would have the benefits of an additional revenue stream for the next 20 years. There is also the added benefit of potentially negotiating the ability to collocate City communications equipment where needed on the towers that has the potential to provide cost savings to the City in the future.

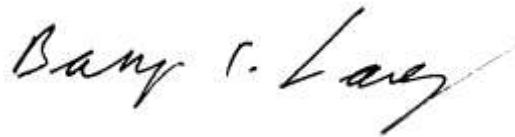
If Council were to ultimately reject the proposed lease agreements, this does not guarantee that new towers would not be erected in similar places throughout the City on non-city owned sites.

Respectfully submitted,



Rob Court, Director
Land & Real Estate Management

Respectfully submitted,



Barry Lacey, Executive Director
Division

Report prepared by:
Rob Court, Director

June 5, 2018

To: Members
Finance & Administration Committee

Re: Lease of City Property at 1601 North Pasqua Street to Rogers Communications Inc.

RECOMMENDATION

1. That the lease of the City of Regina (City) owned property located at 1601 North Pasqua Street (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

CONCLUSION

When considering the lease of City-owned land, typically lease agreements are only approved up to a maximum term of years as per *The Regina Administration Bylaw*. In this case, it is recommended that we approve a lease agreement for the proposed term of five years with three additional renewals of five years each, totalling twenty years. Leasing the land for this length of time requires City Council approval. The purpose of this report is to facilitate the lease of this property to Rogers Communications Inc.

BACKGROUND

The Real Estate Branch has been working with Rogers Communications Inc. to determine suitable lands for several cell towers within the City of Regina. Rogers Communications Inc. has recently approved four locations within the City of Regina for new cell towers.

City Council approval is required if: a lease term, including renewals, exceeds ten years; a lease is less-than-market-value; or if the property has not been publicly identified for lease. The proposed lease is for an initial term of 5 years with three additional options to renew for an additional five years each for a total of twenty years.

DISCUSSION

Rogers Communications Inc. approached the City of Regina Real Estate branch looking for suitable locations for several cell towers within the City of Regina. Upon review, there were several locations

deemed suitable. After completing an internal circulation, five locations were short-listed. Rogers Communications Inc. has chosen four potential locations for cell towers based on their criteria.

This proposed site is located at 1601 North Pasqua Street. The site is a 25m x 25m 3-Sector UMTS/LTE macro site with an approximate 50m high self-support telecommunications pole. The installation described will be engineered, constructed and maintained in accordance with Canadian Standards Association specification "S37-13 Antennas, Towers and Antenna-Supporting Structures", as amended from time to time, for the protection of the general public respecting good engineering practices including structural adequacy. All drawings and final designs will be reviewed and stamped by a Consulting Engineer licensed by the Association of Professional Engineers & Geoscientists of Saskatchewan. The pole will not be engineered and designed until the land is acquired and the geotechnical work completed to assist in the design of the foundations and structure. 25m 3-Sector UMTS/LTE macro site with an approximate 50m high self-support telecommunications pole. The installation described will be engineered, constructed and maintained in accordance with Canadian Standards Association specification "S37-13 Antennas, Towers and Antenna-Supporting Structures", as amended from time to time, for the protection of the general public respecting good engineering practices including structural adequacy. All drawings and final designs will be reviewed and stamped by a Consulting Engineer licensed by the Association of Professional Engineers & Geoscientists of Saskatchewan. The pole will not be engineered and designed until the land is acquired and the geotechnical work completed to assist in the design of the foundations and structure.

The operation of all radio frequency equipment in Canada is regulated by a Health Canada safety code called Safety Code 6 – Limit of Human Exposure to Radiofrequency Electromagnetic Fields. Rogers will install and operate this structure on an ongoing basis in compliance with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

The structures are not usually lighted, but the site will need to meet any necessary aeronautical obstruction marking requirements including Transport Canada painting and/or lighting requests. Public consultation would be done for the proposed installation based on Industry Canada Guidelines (CPC-2-0-03 Issue 5, effective July 15, 2014) once the property is confirmed. A notice will be placed in the newspaper and a notification package mailed to all residents living within a radius of three times the height of the tower. Each package is clearly marked referring to the proposed antenna system and residents will have 30 days to provide comments. Upon a favorable consultation, Rogers will need to apply for any required permits before development can proceed.

The proposed Telecommunications Site Agreement has an initial term of five years with three renewal periods of an additional five years each. This would have a total term of twenty years. The agreement has been reviewed and approved by the City Solicitor. The lease rate is a set rate for the first five-year term with an automatic 10% increase upon each five-year renewal.

The terms and conditions of the proposed Telecommunications Site Agreement are as follows:

Subject Property:	25m x 25m site
Tenant:	Rogers Communications Inc.
Leased Term:	Five years with three additional options to renew for an additional five years each for a total of twenty years.

Net Annual Lease Rate: First five-year term is \$20,000 per year.
Second five-year term is \$22,000 per year
Third five-year term is \$24,200 per year
Fourth five-year term is \$26,620 per year

Other Terms: Lessee shall be responsible for GST and the annual property taxes.

Conditional upon the approval of City Council and the terms and conditions contained within the Telecommunications Site Agreement.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City will realize revenues from this site for up to the next twenty years (at which time a new agreement may be negotiated). Annual revenue will be \$20,000 per year, increasing to \$22,000 after five years, \$24,200 after ten years and \$26,620 for the remaining five years. All funds from this lease will be deposited into the Land Development Reserve.

Environmental Implications

Upon surrender of the premises, the tenant will be responsible to return the site to its previous condition, which will include the removal of all improvements and chattels.

Policy and/or Strategic Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

A copy of this report will be provided to Rogers Communications Inc.

DELEGATED AUTHORITY

The recommendations contained in the report require City Council approval.



Respectfully submitted,

Rob Court, Director
Land & Real Estate Management



Respectfully submitted,

Barry Lacey, Executive Director
Financial & Corporate Services

Report prepared by:
Sherri Hegyi, Real Estate Officer, Real Estate Branch



Rogers Communications Inc.
Lease Proposal
Self-Support Telecommunications Pole
May 25, 2018

ROGERS COMMUNICATIONS INC.
SITE SKETCH PLAN
W4526A
WITHIN
PLAN 101167040 BLOCK A
SW 12-018-20 W2M
IN THE CITY OF REGINA, SASKATCHEWAN



June 5, 2018

To: Members
Finance & Administration Committee

Re: Lease of City Property at 2950 Harding Street to Rogers Communications Inc.

RECOMMENDATION

1. That the lease of the City of Regina (City) owned property located at 2950 Harding Street (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

CONCLUSION

When considering the lease of City-owned land, typically lease agreements are only approved up to a maximum term of years as per *The Regina Administration Bylaw*. In this case, it is recommended that we approve a lease agreement for the proposed term of five years with three additional renewals of five years each, totalling twenty years. Leasing the land for this length of time requires City Council approval. The purpose of this report is to facilitate the lease of this property to Rogers Communications Inc.

BACKGROUND

The Real Estate Branch has been working with Rogers Communications Inc. to determine suitable lands for several cell towers within the City of Regina. Rogers Communications Inc. has recently approved four locations within the City of Regina for new cell towers.

City Council approval is required if: a lease term, including renewals, exceeds ten years; a lease is less-than-market-value; or if the property has not been publicly identified for lease. The proposed lease is for an initial term of 5 years with three additional options to renew for an additional five years each for a total of twenty years.

DISCUSSION

Rogers Communications Inc. approached the City of Regina Real Estate branch looking for suitable locations for several cell towers within the City of Regina. Upon review, there were

several locations deemed suitable. After completing an internal circulation, five locations were short-listed. Rogers Communications Inc. has chosen four potential locations for cell towers based on their criteria.

This proposed site is located at 2950 Harding Street and will be installed directly beside the existing Saskatchewan Telecommunications tower. This location will be dependant upon Rogers being able to obtain suitable access to the property. The site will be a 10mx10m 3-Sector UMTS/LTE macro site with an approximate 35m high flush mounted monopole. The installation described will be engineered, constructed and maintained in accordance with Canadian Standards Association specification "S37-13 Antennas, Towers and Antenna-Supporting Structures", as amended from time to time, for the protection of the general public respecting good engineering practices including structural adequacy. All drawings and final designs will be reviewed and stamped by a Consulting Engineer licensed by the Association of Professional Engineers & Geoscientists of Saskatchewan. The pole will not be engineered and designed until the land is acquired and the geotechnical work completed to assist in the design of the foundations and structure.

The operation of all radio frequency equipment in Canada is regulated by a Health Canada safety code called Safety Code 6 – Limit of Human Exposure to Radiofrequency Electromagnetic Fields. Rogers will install and operate this structure on an ongoing basis in compliance with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

The structures are not usually lighted, but the site will need to meet any necessary aeronautical obstruction marking requirements including Transport Canada painting and/or lighting requests. Once the property is confirmed, the public will be consulted on the proposed installation based on Industry Canada Guidelines (CPC-2-0-03 Issue 5, effective July 15, 2014). A notice will be placed in the newspaper and notification package mailed to residents living within a radius of three times the height the tower. Each package is clearly marked referring to the proposed antenna system and residents have 30 days to provide comments. Upon a favorable consultation, Rogers must apply for any required permits before development can proceed.

The proposed Telecommunications Site Agreement has an initial term of five years with three renewal periods of an additional five years each. This would have a total term of twenty years. The agreement has been reviewed and approved by the City Solicitor. The lease rate is a set rate for the first five-year term with an automatic 10% increase upon each five-year renewal.

The terms and conditions of the proposed Telecommunications Site Agreement are as follows:

Subject Property:	10m x 10m site
Tenant:	Rogers Communications Inc. Communications Inc.
Leased Term:	Five years with three additional options to renew for an additional five years each for a total of twenty years.

Net Annual Lease Rate:	First five-year term is \$20,000 per year. Second five-year term is \$22,000 per year Third five-year term is \$24,200 per year Fourth five-year term is \$26,620 per year
Other Terms:	Lessee shall be responsible for GST and the annual property taxes. Conditional upon the approval of City Council and the terms and conditions contained within the Telecommunications Site Agreement.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City will realize revenues from this site for up to the next twenty years (at which time a new agreement may be negotiated). Annual revenue will be \$20,000 per year, increasing to \$22,000 after five years, \$24,200 after ten years and \$26,620 for the remaining five years. All funds from this lease will be deposited into the Land Development Reserve.

Environmental Implications

Upon surrender of the premises, the tenant will be responsible to return the site to its previous condition, which will include the removal of all improvements and chattels.

Policy and/or Strategic Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

A copy of this report will be provided to Rogers Communications Inc.

DELEGATED AUTHORITY

The recommendations contained in the report require City Council approval.

A handwritten signature in blue ink that reads "Rob Court".

Respectfully submitted,

Rob Court, Director
Land & Real Estate Management

A handwritten signature in blue ink that reads "Barry Lacey".

Respectfully submitted,

Barry Lacey, Executive Director
Financial & Corporate Services

Report prepared by:
Sherri Hegyi, Real Estate Officer, Real Estate B



Rogers Communications Inc.
Lease Proposal
Monopole Telecommunications Pole
May 25, 2018

ROGERS COMMUNICATIONS INC.
SITE SKETCH PLAN
W4531B



WITHIN
BLK/PAR C PLAN NO 82R01732 EXT 203
PTN OF SE 16-017-19 W2M
IN THE CITY OF REGINA, SASKATCHEWAN



June 5, 2018

To: Members
Finance & Administration Committee

Re: Lease of City Property at 3310 Lakeview Avenue to Rogers Communications Inc.

RECOMMENDATION

1. That the lease of the City of Regina (City) owned property located at 3310 Lakeview Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

CONCLUSION

When considering the lease of City-owned land, typically lease agreements are only approved up to a maximum term of years as per *The Regina Administration Bylaw*. In this case, it is recommended that we approve a lease agreement for the proposed term of five years with three additional renewals of five years each, totalling twenty years. Leasing the land for this length of time requires City Council approval. The purpose of this report is to facilitate the lease of this property to Rogers Communications Inc.

BACKGROUND

The Real Estate Branch has been working with Rogers Communications Inc. to determine suitable lands for several cell towers within the City of Regina. Rogers Communications Inc. has recently approved four locations within the City of Regina for new cell towers.

City Council approval is required if: a lease term, including renewals, exceeds ten years; a lease is less-than-market-value; or if the property has not been publicly identified for lease. The proposed lease is for an initial term of 5 years with three additional options to renew for an additional five years each for a total of twenty years.

DISCUSSION

Rogers Communications Inc. approached the City of Regina Real Estate branch looking for suitable locations for several cell towers within the City of Regina. Upon review, there were several locations deemed suitable. After completing an internal circulation, five locations were short-listed. Rogers Communications Inc. has chosen four potential locations for cell towers based on their criteria.

This proposed site is located at 3310 Lakeview Avenue and will be installed directly beside the existing Saskatchewan Telecommunications tower. The site will be a 10mx10m 3-Sector UMTS/LTE macro site with an approximate 30m high flush mounted monopole. The installation described will be engineered, constructed and maintained in accordance with Canadian Standards Association specification "S37-13 Antennas, Towers and Antenna-Supporting Structures", as amended from time to time, for the protection of the general public respecting good engineering practices including structural adequacy. All drawings and final designs will be reviewed and stamped by a Consulting Engineer licensed by the Association of Professional Engineers & Geoscientists of Saskatchewan. The pole will not be engineered and designed until the land is acquired and the geotechnical work completed to assist in the design of the foundations and structure.

The operation of all radio frequency equipment in Canada is regulated by a Health Canada safety code called Safety Code 6 – Limit of Human Exposure to Radiofrequency Electromagnetic Fields. Rogers, will install and operate this structure on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

The structures are not usually lighted, but the site will need to meet any necessary aeronautical obstruction marking requirements including painting and/or lighting Transport Canada requests. Public consultation would be done for the proposed installation based on Industry Canada Guidelines CPC-2-0-03 Issue 5 effective July 15, 2014 once the property is confirmed. This involves a notice in the newspaper and mailing a notification package to everyone within a radius of three times the height the tower. Each package is clearly marked referring to the proposed antenna system so as not to be interpreted as junk mail and they have 30 days to provide comments. Upon a favorable consultation Rogers would apply for any Development Permits or other Permits required.

The proposed Telecommunications Site Agreement has an initial term of five years with three renewal periods of an additional five years each. This would have a total term of twenty years. The agreement has been reviewed and approved by the City Solicitor. The lease rate is a set rate for the first five-year term with an automatic 10% increase upon each five-year renewal.

The terms and conditions of the proposed Telecommunications Site Agreement are as follows:

Subject Property: 10m x 10m site

Tenant: Rogers Communications Inc. Communications Inc.

Leased Term:	Five years with three additional options to renew for an additional five years each for a total of twenty years.
Net Annual Lease Rate:	First five-year term is \$20,000 per year. Second five-year term is \$22,000 per year Third five-year term is \$24,200 per year Fourth five-year term is \$26,620 per year
Other Terms:	Lessee shall be responsible for GST and the annual property taxes. Conditional upon the approval of City Council and the terms and conditions contained within the Telecommunications Site Agreement.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City will realize revenues from this site for up to the next twenty years (at which time a new agreement may be negotiated). Annual revenue will be \$20,000 per year, increasing to \$22,000 after five years, \$24,200 after ten years and \$26,620 for the remaining five years. All funds from this lease will be deposited into the Land Development Reserve.

Environmental Implications

Upon surrender of the premises, the tenant will be responsible to return the site to its previous condition, this will include the removal of all improvements and chattels.

Policy and/or Strategic Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

A copy of this report will be provided to Rogers Communications Inc.

DELEGATED AUTHORITY

The recommendations contained in the report require City Council approval.

A handwritten signature in blue ink that reads "Rob Court".

Respectfully submitted,

Rob Court, Director
Land & Real Estate Management

A handwritten signature in black ink that reads "Barry L. Lacey".

Respectfully submitted,

Barry Lacey, Executive Director
Financial & Corporate Services

Report prepared by:
Sherri Hegyi, Real Estate Officer, Real Estate Branch



Rogers Communications Inc.
Lease Proposal
Monopole Telecommunications Pole
May 25, 2018

ROGERS COMMUNICATIONS INC. SITE SKETCH PLAN



W4528A

WITHIN
PLAN 60R07552 BLOCK D
PTN. NE 12-017-20 W2M
IN THE CITY OF REGINA, SASKATCHEWAN



PROPOSED PREMISES			
SITE: 10m x 10m		HEIGHT: 30m	ELEVATION: 575m
PT. #	DESCRIPTION	LATITUDE	LONGITUDE
①	APPROACH	50 25' 18.61"	-104 37' 40.80"
②	CORNER	50 25' 19.15"	-104 37' 39.31"
③	CORNER	50 25' 19.16"	-104 37' 38.80"
④	CORNER	50 25' 18.83"	-104 37' 39.31"
⑤	CORNER	50 25' 18.83"	-104 37' 39.31"
⑥	TOWER	50 25' 18.98"	-104 37' 39.08"

NOTE:

NOT A FORMAL SURVEY PLAN
SKETCH REPRESENTATION ONLY

PAGE 2 OF 2

1:750

0 12.5 25 m

LANDLORD:
THE CITY OF REGINA

MUNICIPAL ADDRESS:
3310 LAKEVIEW AVENUE

TITLE #: 146062717

LEASE: 100M2

W4528 Regina Lakeview
LandSolutions LP on behalf of Rogers Communications Inc.
Submitted by: Allison Kaiser, Site Acquisition and Municipal Affairs



June 5, 2018

To: Members
Finance & Administration Committee

Re: Lease of City Property at 4335 4th Avenue to Rogers Communications Inc.

RECOMMENDATION

1. That the lease of the City of Regina (City) owned property located at 4335 4th Avenue (Appendix A) to Rogers Communications Inc. be approved.
2. That the Administration be authorized to finalize any other commercially relevant terms and conditions of the lease documents.
3. That the City Clerk be authorized to execute the Telecommunications Site Agreement documents upon review and approval by the City Solicitor.
4. That this report be forwarded to the June 25, 2018 meeting of City Council for approval after public notice has been advertised.

CONCLUSION

When considering the lease of City-owned land, typically lease agreements are only approved up to a maximum term of years as per *The Regina Administration Bylaw*. In this case, it is recommended that we approve a lease agreement for the proposed term of five years with three additional renewals of five years each, totalling twenty years. Leasing the land for this length of time requires City Council approval. The purpose of this report is to facilitate the lease of this property to Rogers Communications Inc.

BACKGROUND

The Real Estate Branch has been working with Rogers Communications Inc. to determine suitable lands for several cell towers within the City of Regina. Rogers Communications Inc. has recently approved four locations within the City of Regina for new cell towers.

City Council approval is required if: a lease term, including renewals, exceeds ten years; a lease is less-than-market-value; or if the property has not been publicly identified for lease. The proposed lease is for an initial term of 5 years with three additional options to renew for an additional five years each for a total of twenty years.

DISCUSSION

Rogers Communications Inc. approached the City of Regina Real Estate branch looking for suitable locations for several cell towers within the City of Regina. Upon review, there were several locations deemed suitable. After completing an internal circulation, five locations were short-listed. Rogers Communications Inc. has chosen four potential locations for cell towers based on their criteria.

This proposed site is located at 4335 4th Avenue. The site will be an 8mx8m 3-Sector UMTS/LTE macro site with an approximate 25m high flush mounted monopole. The installation described will be engineered, constructed and maintained in accordance with Canadian Standards Association specification "S37-13 Antennas, Towers and Antenna-Supporting Structures", as amended from time to time, for the protection of the general public respecting good engineering practices including structural adequacy. All drawings and final designs will be reviewed and stamped by a Consulting Engineer licensed by the Association of Professional Engineers & Geoscientists of Saskatchewan. The pole will not be engineered and designed until the land is acquired and the geotechnical work completed to assist in the design of the foundations and structure.

The operation of all radio frequency equipment in Canada is regulated by a Health Canada safety code called Safety Code 6 – Limit of Human Exposure to Radiofrequency Electromagnetic Fields. Rogers, will install and operate this structure on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

The structures are not usually lighted, but the site will need to meet any necessary aeronautical obstruction marking requirements including painting and/or lighting Transport Canada requests. Public consultation would be done for the proposed installation based on Industry Canada Guidelines CPC-2-0-03 Issue 5 effective July 15, 2014 once the property is confirmed. This involves a notice in the newspaper and mailing a notification package to everyone within a radius of three times the height the tower. Each package is clearly marked referring to the proposed antenna system so as not to be interpreted as junk mail and they have 30 days to provide comments. Upon a favorable consultation Rogers would apply for any Development Permits or other Permits required.

The proposed Telecommunications Site Agreement has an initial term of five years with three renewal periods of an additional five years each. This would have a total term of twenty years. The agreement has been reviewed and approved by the City Solicitor. The lease rate is a set rate for the first five-year term with an automatic 10% increase upon each five-year renewal.

The terms and conditions of the proposed Telecommunications Site Agreement are as follows:

Subject Property:	8m x 8m site
Tenant:	Rogers Communications Inc. Communications Inc.

Leased Term:	Five years with three additional options to renew for an additional five years each for a total of twenty years.
Net Annual Lease Rate:	First five-year term is \$20,000 per year. Second five-year term is \$22,000 per year Third five-year term is \$24,200 per year Fourth five-year term is \$26,620 per year
Other Terms:	Lessee shall be responsible for GST and the annual property taxes. Conditional upon the approval of City Council and the terms and conditions contained within the Telecommunications Site Agreement.

RECOMMENDATION IMPLICATIONS

Financial Implications

The City will realize revenues from this site for up to the next twenty years (at which time a new agreement may be negotiated). Annual revenue will be \$20,000 per year, increasing to \$22,000 after five years, \$24,200 after ten years and \$26,620 for the remaining five years. All funds from this lease will be deposited into the Land Development Reserve.

Environmental Implications

Upon surrender of the premises, the tenant will be responsible to return the site to its previous condition, which will include the removal of all improvements and chattels.

Policy and/or Strategic Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

A copy of this report will be provided to Rogers Communications Inc.

DELEGATED AUTHORITY

The recommendations contained in the report require City Council approval.



Respectfully submitted,

Rob Court, Director
Land & Real Estate Management



Respectfully submitted,

Barry Lacey, Executive Director
Financial & Corporate Services

Report prepared by:
Sherri Hegyi, Real Estate Officer, Real Estate Branch



Rogers Communications Inc.
Lease Proposal
Monopole Telecommunications Pole
May 25, 2018

ROGERS COMMUNICATIONS INC.
SITE SKETCH PLAN
W4527A



WITHIN
TITLE NO FY3097
PTN OF SE 26-017-20 W2M
IN THE CITY OF REGINA, SASKATCHEWAN



W4527 Coventry Place
LandSolutions LP on behalf of Rogers Communications Inc.
Submitted by: Allison Kaiser, Site Acquisition and Municipal Affairs

