



Council Report

Report Number RS2020-025

Meeting Date: December 15, 2020

Title: Amending Lease Agreement for 193 Centreline Rd., Omemee

Description: Proposed 2020 Amending Lease Agreement between the City of Kawartha Lakes and Bell Mobility Inc. (193 Centreline Road, in the Geographic Township of Emily)

Author and Title: Christine Oliver, Law Clerk – Realty Services

Recommendations:

That Report RS2020-025, **Bell Mobility Inc. Amending Lease Agreement for 193 Centreline Road, Omemee**, be received; and

That the Mayor and Clerk be authorized to execute an amending lease agreement on behalf of the Corporation of the City of Kawartha Lakes with Bell Mobility Inc. for the purpose of constructing a new telecommunications tower at 193 Centreline Road, in the Geographic Township of Emily, which amends the agreement completed on the 1st day of December, 2015.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Corporation of the City of Kawartha Lakes has been in a lease agreement with Bell Mobility Inc. since December 1, 2015 (agreement not attached due to confidentiality reasons) for a portion of City-owned property at 193 Centreline Road, in the Geographic Township of Emily, to Bell Mobility Inc. to allow for a tower and support equipment.

- 10.3.2 **RESOLVED THAT** Report LM2015-008, **Bell Mobility Inc. Lease of 193 Centreline Road, Omemee**, be received; and
THAT the lease agreement between the Corporation of the City of Kawartha Lakes and Bell Mobility, attached as Appendix A to Report LM2015-008, be approved.

CR2015-1048

Bell Mobility Inc. did not construct a tower or place support equipment on site. Bell Mobility Inc. has proceeded to propose to construct a tower being 35m in height and is identified in a site plan attached as Appendix B. This proponent has completed a Telecommunication Facility Development Agreement with the City, which is administered by the Planning Department and which is advanced to Council:

9.2.2 PLAN2020-020

Telecommunications Facility Application Re-Endorsement – Bell Mobility Inc. – Application D44-28-001

Ian Walker, Planning Officer - Large Developments

CR2020-160

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That Report PLAN2020-020, **Telecommunications Facility Application Re-Endorsement – Bell Mobility Inc. – Application D44-28-001**, be received;

That the previous April 22, 2014 Council endorsement of a 50.0 metre tri-pole telecommunication facility originally proposed by Fontur International Inc. on behalf of Bell Mobility Inc., to be sited on property at 193 Centreline Road and generally outlined in Appendices 'A' to 'C' to Report PLAN2020-020, be extended for a period of not more than one (1) year, conditional upon the applicant entering into an amended Telecommunication Facility Development Agreement with the City;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the re-endorsement of this application.

Carried

The proposed license agreement between the City of Kawartha Lakes and Bell Mobility Inc. (attached as Appendix C) provides that Bell Mobility Inc. will be charged an \$18,360.00 (plus HST) annual fee for a term of five (5) years in accordance with the agreement (attached as Appendix B).

The purpose of this report is to provide Council with an opportunity to consider the terms of the proposed amending lease agreement and for Council to provide direction to execute this Agreement as outlined in the draft by-law (attached as Appendix D).

Appendix A is a general location map.

Rationale:

The current lease agreement between the City and Bell Mobility Inc. has been in force and effect since December 1, 2015. The agreement in effect is currently in a term of five (5) years ending November 30, 2020. This lease agreement has three options to extend each for a term of 5 years. Bell Mobility Inc. has proceeded to propose to construct a tower being 35m in height and is identified in a site plan attached as Appendix B. For Bell Mobility Inc. to proceed with investment to their infrastructure and to improve services to clients, they require the support of The City of Kawartha Lakes to allow them the space required.

Other Alternatives Considered:

Council could direct that the amending lease agreement not be executed. This is not recommended in this circumstance as Bell Mobility Inc. would not be able to expand their services within The City of Kawartha Lakes.

Alignment to Strategic Priorities

Good Government

- Maintain partnership with Eastern Ontario Regional Network (EORN) to ensure high speed broadband and cellular services are available throughout Kawartha Lakes.
- Partner and advocate to maintain and encourage expansion demanded community infrastructure and institutions

Financial/Operation Impacts:

The current lease agreement between The City of Kawartha Lakes and Bell Mobility Inc. provides for compensation in the amount of \$18,360.00 (plus HST) annually with an annual 2 % increase. The Realty Services Division is proposing this rate remain the same for the current term ending November 30, 2020 and for the three (3) options for renewal each for five (5) years.

Consultations:

Director of Public Works

Attachments:

Appendix A – Location Map



Appendix A -
Location Map.pdf

Appendix B – Site Plan



Appendix B - Site
Plan.pdf

Appendix C – Proposed Amended License Agreement



Appendix C -
Proposed Amending

Appendix D – Draft By-Law



Appendix D - Draft
Bylaw.pdf

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Department File: L17-19-RS018