

## REPORT

**REPORT TO:** Chair and Members of the Community and Corporate Affairs Committee

**REPORT FROM:** Simone Gourlay, Manager of Purchasing

**DATE:** June 10, 2019

**REPORT NO.:** CORPSERV-2019-0030

**RE:** Master Cellular Agreement and Small Cell Licence Agreement with Rogers Communications

### RECOMMENDATION:

THAT Report CORPSERV-2019-0030, dated June 10, 2019 regarding the Master Cellular Agreement and Small Cell Licence Agreement with Rogers Communications be approved;

AND FURTHER THAT Council authorize the Mayor and Clerk to execute the Master Cellular Agreement with Rogers Communications for Macro and Micro Cell Towers;

AND FURTHER THAT Council authorize the Mayor and Clerk to execute the Small Cell Licence Agreement with Rogers Communications for Small Cell Infrastructure.

### BACKGROUND:

Rogers Communications has approached the Town with a proposal to add new infrastructure to facilitate a future 5G network. 5G (or 5<sup>th</sup> generation) technology will provide greater coverage for cellular communications and increase the response time, especially in high use areas. Rogers' customers would benefit from the 5G technology through reduced dead zones, faster data delivery and improved connectivity.

The expanded capacity offered through 5G is becoming increasingly important. For example, today's smart phones use the capacity of 36 flip phones; movies that used to take 26 hours to download on 3G, and 6 minutes on 4G, will now take 4 seconds to download through 5G. Increased infrastructure will not only deliver better, faster service for cell phone users today but will also support the technology of tomorrow including the use of autonomous vehicles, 'smart' farms, 'smart' metering and enhanced services for first responders.

The delivery of 5G technology will require the installation of several different kinds of infrastructure from small cell units to free-standing macro and micro towers. The small cell units are low-powered and have a minimal visual impact; they consist of a metal box approximately 20 cm x 20 cm x 15 cm deep and are typically strapped on to a streetlight pole, but may also appear on facilities. Small cell units are designed to boost the cell phone coverage in the surrounding area by 100 to 200 metres. (See Attachment A for images). Macro towers are usually 15 to 60 metres in height and provide wider coverage. There are also stand-alone units which may be installed on rooftops. Micro towers are shorter and although not currently used by Rogers, they may be installed to provide coverage close to residential areas.

## **COMMENTS:**

The proposal from Rogers Communications (Rogers) has two parts. The first part is a request to install small cell units, with an initial roll-out of six locations on Town-owned streetlights on Guelph Street, between Sinclair Avenue and Delrex Boulevard. Installed 4 metres above the ground, these small cell units are low profile. The proposed installation of small cell units on Guelph Street streetlights could begin by early 2020. This installation and any future installations would be done in accordance with the 20-year Small Cell License Agreement. The agreement with the Town addresses the placement, maintenance, repair and replacement of the small cell units. It would also establish the fee the Town would receive for each installed unit.

The second part of Roger's proposal pertains to the potential installation of micro and macro towers on Town-owned lands. Staff has had limited discussions with Rogers on these potential installations. Should a suitable location be identified, the process to establish the tower location, would, at minimum, adhere to the Town's "Protocol for Establishing Telecommunication Towers and Related Facilities" as established by the Planning and Sustainability Department (See Attachment B). This protocol is similar to that of a site plan review; adherence to the protocol by the proponent serves to satisfy the approval requirements as set out by Innovation, Science and Economic Development Canada (the approval authority for cell towers).

The protocol also requires that the proponent undertake a public consultation process for any tower within proximity to a residential or school area or any tower that is over 15 metres in height. In addition, staff is recommending an enhanced level of consultation for both micro and macro towers on Town-owned land, using the Town's engagement platform [letstalkhaltonhills.ca](http://letstalkhaltonhills.ca). Note that the small cell units proposed for the Town-owned street lights on Guelph Street would be exempt from the protocol because of their size and attachment to existing infrastructure.

In addition to compliance with the protocol, and undertaking an enhanced level of public consultation, Rogers would be required to submit the installation details of the towers and any other related infrastructure sited within the municipal road allowances for review and approval by the Town. This process would ensure the installation of the Rogers' infrastructure would not obstruct the function and safety of the Town road

allowances and that Rogers is accountable for any issues arising from the construction, installation and maintenance of these installations.

Similar to the small cell technology installations, Rogers is seeking a 20-year Master License Agreement for micro and macro towers. The agreement covers first right of refusal, the fee the Town would receive, access to the site, insurance and other terms.

The agreements for both the small cell and tower installations would not preclude other telecommunications providers from installing similar technologies on other street light poles or facilities, or from co-locating antennae on the same tower.

With regard to the health and safety of small cell and tower installations, it is important to note that they must comply with Health Canada's standards as prescribed by Safety Code 6. Attachment C provides further details and confirms that small cell units and towers are significantly below the safe limits for public exposure.

The current cellular coverage provided by Rogers, and the proposed future coverage is shown in Confidential Attachment D. The first map illustrates Rogers' existing towers and the coverage areas; the second map shows the coverage from the proposed towers; the third combined map shows the extended coverage for Rogers' customers once all the proposed towers have been installed. Coverage may change as locations are finalized and as technology evolves.

#### **RELATIONSHIP TO STRATEGIC PLAN:**

This initiative promotes Financial Stability, Rural Economic Development and Communications

2C – Proactively promote private and public sector financing of growth related infrastructure

7D – As opportunities arise, work with the Province, Region and others to support enhanced fibre optic/ broadband infrastructure in rural areas.

8B – Improve access and use of technology for Town Council meetings and other Town business.

#### **FINANCIAL IMPACT:**

Staff is currently confirming the revenue that would be generated from the proposed small cell and tower agreements. Any revenue from approved installations will go into the Town's Corporate Revenue account.

#### **CONSULTATION:**

A staff team including Simone Gourlay, Manager of Purchasing; Maureen Van Ravens, Manager of Transportation; Jeff Markowiak, Manager, Development Review; Kevin Okimi, Manager of Parks and Open Space; Murray Colquhoun, Manager of Information Services; Jeff Jelsma, Manager of Development Engineering; and, Cara Jarv from Southwest Energy Corporation has been working with Rogers on this opportunity. This proposal has also been presented to the Town's Senior Management Team.

Legal counsel, from O'Connor MacLeod Hanna LLP has been involved in negotiating the terms of both agreements with Rogers Communications.

**PUBLIC ENGAGEMENT:**

Each individual macro and micro tower being proposed on Town-owned sites would go through the established Town cell tower protocol plus an enhanced level of consultation that staff would lead, using the Town's engagement platform [letstalkhaltonhills.ca](http://letstalkhaltonhills.ca). The Town's Manager of Corporate Communications is involved with this project.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report advances the Strategy's implementation.

Municipal efforts to strengthen access to improved technology help to build a vibrant live/work community, which in turn supports the Town's Economic Development Strategy and Community Sustainability Strategy: Imagine Halton Hills. Creating jobs (via mobile workplaces) reduces commuter traffic, reduces greenhouse gas emissions and supports quality of life.

**COMMUNICATIONS:**

Council's decision on this report will be communicated to Rogers (and any other interested providers).

**CONCLUSION:**

The provision of small cell, micro and macro towers on Town-owned land provides residents and business owners with faster download capabilities, increased connectivity and improved reliability through the Rogers network which in turn supports a live/work community and high quality of life. Staff is recommending that Council authorize the Mayor and Clerk to execute the Municipal Master Cellular Agreement and Small Cell Master License Agreement with Rogers Communications.

Reviewed and Approved by,

A handwritten signature in black ink that reads "Jane Diamanti". The signature is written in a cursive, flowing style.

Jane Diamanti, Commissioners of Corporate Services

A handwritten signature in black ink that reads "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, Chief Administrative Officer