



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2016
SUBJECT/REPORT NO:	Radio Tower License Agreement Renewal at 155 Paddy Green Road, Hamilton with the Minister of Community Safety and Correctional Services (the Licensor) (PED16106) (Ward 14)
WARD(S) AFFECTED:	Ward 14
PREPARED BY:	John Hamilton (905) 546-2424 Ext. 7045
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That a Radio Tower License Agreement renewal with the Minister of Community Safety and Correctional Services (the Licensor) for space occupied by the Hamilton Fire Division (HFD) at 155 Paddy Green Road, Ancaster, as shown on Appendix “A” attached to Report PED16106, substantially based on the terms and conditions contained in Appendix “B” attached to Report PED16106, and such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development, be approved;
- (b) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, relating to the Licence with the Minister of Community Safety and Correctional Services (the Licensor) for space to be occupied by the City (City) at 155 Paddy Green Road, in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

Since 1991, the City has had a 100 foot highground communications tower and an equipment monitoring shed at 155 Paddy Green Road under licence; this communications infrastructure is shared by the Hamilton Fire (HFD) and Emergency Service (EMS) Divisions. In addition, the City has antennae located on a 400 foot high tower owned by the Province - this Licence relates to the City’s use of the 400 foot high tower.

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The former License Agreement was at a nominal fee; however, since 2012, the Province's mandate is to receive fees based upon market rent. The proposal is for five years commencing April 1, 2015 with two five-year renewal options.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Rent and expense(s) related to this Licence will be drawn from Account No. 55375-780005. The Client Division will also be charged a one-time fee of \$1,500 to be credited to Account No. 45408-3560150200 (Civic Property Purchases and Sales) for Real Estate and Legal Services costs and fees.

Staffing: N/A

Legal: Legal Services Division was involved in the development of the License Agreement renewal through to its completion.

HISTORICAL BACKGROUND

In 1991, the City erected a 100 foot tower to facilitate its HFD / EMS communications network at this location. Also, at about the same time the Province erected a nearby 400 foot tower on the site for the Ontario Provincial Police (OPP) to use. Due to security reasons, the OPP would not let anyone else use the 400 foot high tower. After the OPP abandoned the tower, the City relocated some antennas to it because the additional height provided a wider coverage area. The City's Agreement with the Licensor for the 400 foot tower expired in 2011, leaving the City's tenancy in over-hold until a renewal Agreement is formalized.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Licence renewal rate is deemed by Real Estate Section as being fair, reasonable and at market value, and the terms of this Agreement are in keeping with the City's Portfolio Management Strategy.

RELEVANT CONSULTATION

- City Manager's Office, Legal Services Division;
- Community and Emergency Services Department, Hamilton Fire Division, Trunked Radio Section; and,
- Ward Councillor.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

This Licence renewal will allow the City to continue to function from 155 Paddy Green Road for five more years, with options to renew for two additional five-year terms.

ALTERNATIVES FOR CONSIDERATION

City staff explored alternative locations. Cost to relocate would be in excess of \$50,000 and deemed unnecessary.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

Strategic Objective

- 3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.
- 3.4 Enhance opportunities for administrative and operational efficiencies.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED16106 - Location Map

Appendix "B" to Report PED16106 - Terms and Conditions Summary

JH/sd