



## AMHERST TOWN COUNCIL

RFD# 2024078

Date: September 23, 2024

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Aaron Bourgeois, Director of Operations

**DATE:** September 23, 2024

**SUBJECT:** Bell Mobility Tower Site Lease Renewal

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**ORIGIN:** Pending expiration of the existing Lease between the Town and Bell Mobility Inc. (formerly MT&T Mobility Incorporated)

**LEGISLATIVE AUTHORITY:** Municipal Government Act (MGA), Section 51 concerning the sale or lease of municipal property.

**RECOMMENDATION:** That Council approve the lease agreement between Bell Mobility Inc. and the Town of Amherst and authorize the Mayor and CAO to sign on behalf of the Town.

**BACKGROUND:** Bell Mobility leases a parcel of land for a cellular communication tower that includes an access easement (as shown in the proposed lease agreement) at the Public Works Garage located at 14 McCully Street.

As the current 20-year lease will expire on April 30, 2025 and as Bell wishes to renew the lease, they contacted the CAO in June to negotiate the terms for a new lease.

**DISCUSSION:** The terms and conditions of the current and proposed leases will remain unchanged for the most part. Minor changes in the proposed lease include:

- An initial 5-year term with 3 options to extend for 5 years each, current lease is 20-years.
- Proposed lease requires 30 days notice to terminate the lease, current lease requires 3 months notice.

It is also important to note that Public Works does not currently have a need or use for the property occupied by the cellular tower.

**FINANCIAL IMPLICATIONS:** The Town is currently receiving \$5,154.57 +HST in annual rent from Bell Mobility. The proposed lease includes a 7.5% increase in the base rent for year one and then annual increases of 2% for all subsequent years. Bell will also pay an additional \$2,000 +HST annual payment to the Town as they sublet Tower space to Rogers Mobility.

Beginning May 1, 2025 annual rent will be \$7,541.16 +HST. Year 20 would see the annual rent increase \$10,072.42 +HST.





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**SOCIAL JUSTICE IMPLICATIONS:** There are no social justice implications.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications

**COMMUNITY ENGAGEMENT:** There is no community engagement contemplated at this time.

**ALTERNATIVES:**

1. Direct staff to negotiate changes to the lease;
2. Do not enter into the lease agreement with Bell Mobility

**ATTACHMENTS:**

1. Proposed lease agreement
2. Current lease agreement

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Report prepared by:

Report and Financial approved by:

