

Date: August 26, 2008



**TO: Board Members – Vancouver Park Board**  
**FROM: General Manager – Parks and Recreation**  
**SUBJECT: Rogers Telecommunications Proposal - Hillcrest Park**

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## RECOMMENDATION

- A. THAT the Board enters into a license agreement with Rogers Wireless for telecommunications equipment in Hillcrest Park as outlined in the staff report.*
- B. THAT once the agreement has been approved by the General Manager and the Directors of Legal Services and Risk Management, the General Manager be authorized to execute and deliver such documentation on behalf of the Board.*
- C. THAT no legal rights shall arise hereby, and none shall arise until the execution of the contemplated agreement. The Board may rescind this resolution at any time up to the execution of the contemplated agreement.*

## POLICY

The Board grants site licenses for utilities that do not interfere with the park function.

In July 1996, the City of Vancouver adopted a Telecommunications Policy which recognized the important role that telecommunications play in the economy of Vancouver. The policy also outlined authority to regulate equitable access to rights-of-way, secure compensation and minimize the negative impacts associated with use. The City of Vancouver approved a Master Access Agreement for wireless carriers in January 2000 which provided authority for the General Manager of Parks and Recreation to negotiate, execute and deliver agreements with wireless companies on Park Board lands, incorporating general terms and conditions outlined in the Master Access Agreement.

## BACKGROUND

Industry Canada is responsible for regulating wireless telecommunications in Canada and authorizing the location of wireless telecommunications facilities. They require that applicants consult with appropriate land use authorities. The consultation is intended to

provide an opportunity to address land use concerns while respecting federal jurisdiction for the installation and operation of telecommunications systems.

Since 1998, the Park Board has had an agreement with Clearnet, assigned to Telus, at Hillcrest Park for antennas on a Nat Bailey field light post and for a fenced equipment area near the 3<sup>rd</sup> base side of the field (the "Existing Antenna Agreement").

Since 2003, Rogers Wireless ("Rogers") has expressed interest in the vicinity of Hillcrest Park for a location for a new telecommunications site. It was determined that utilizing existing structures in the park would be the preferred approach.

On May 26, 2008, at its Regular Meeting, the Board approved entering into a license agreement with Bell Mobility for the installation of telecommunications equipment in Hillcrest Park on a replacement field light monopole.

The existing field light poles surrounding Nat Bailey date from 1948 and are 37 meters in height. The old poles are rusty and detract from the aesthetics of the freshly painted Nat Bailey exterior and the modern design of the Millennium facility and Vancouver Olympic Centre/Paralympic Centre. It was conceived that several of these old poles would be replaced/relocated as part of the capital works program to be jointly undertaken by the Park Board and Vancouver Professional Baseball. However the cost, estimated at \$150,000 each, prompted deferral of this project for future consideration. At this time, it is unlikely that the existing poles will be replaced/relocated in the short term.

Hillcrest Park is heavily used by a wide variety of park visitors. Park visitation is growing in response to recent enhancements associated with gymnastics and indoor bowls programming in the Millennium facility and baseball programming in Nat Bailey Stadium. Future increases are expected with the opening of the new community legacy facility with aquatic, ice rink, curling and library facilities. Increasingly, park visitors rely on mobile telecommunications equipment for their personal and occupational communication needs, including 911 emergency calls. Recent industry statistics document that 62 % of Canadians currently have cell phones and that number is increasing annually. Current users of Hillcrest Park experience dropped calls due to gaps in the telecommunication network in this area.

## **DISCUSSION**

The Rogers proposal involves the replacement of one old field light pole located in Parking Lot 3 off Midlothian Ave with a new 37 meter monopole of the same design and dimension as the recently approved monopole on the first base side. The new pole would be installed with 6 flush mounted panel antennas, 1 microwave dish initially, and 1 future microwave dish. The existing sport field lights would be relocated to the new monopole and function with the existing Nat Bailey electrical infrastructure in the same manner as they currently function. At the base of the pole is proposed an 11' x 17' telecommunication equipment shelter on a concrete pad which would be located within a

traffic island located in the parking lot with no loss of parking spaces. The equipment shelter would be painted to colour match the Nat Bailey outfield fence and be set with a low profile. An enhanced landscape package for the traffic island in the area surrounding the equipment shelter is also proposed. The landscape area will be maintained by the Park Board and will feature low water use and low maintenance requirements. It is expected that power will be provided by a new hydro kiosk being constructed in the park and that Park Board will collect all electrical fees related to telecommunications consumption for payment to BC Hydro. Appendix A shows the physical plan of the proposal. Appendix B shows an equipment shelter similar in size and design to what is proposed for Hillcrest Park.

Key terms of the License Agreement:

- The Park Board would grant a license to Rogers for the installation and use of its 6 antennae, 1 microwave dish and 1 future microwave dish and related equipment for five years, with three renewal periods of five years each;
- The legal terms and conditions of the license would be similar to those contained in the Existing Antenna Agreement;
- Rogers would retain ownership of its antennae, microwave and related telecommunications equipment;
- Rogers would pay the Park Board an annual license fee of \$30,000 per year, adjusted by the CPI on each renewal period;
- Rogers would pay all costs related to final design, permits (if required), and installation of the new monopole, existing sport field lights (moved to new pole), equipment shelter and concrete pad, underground electrical service, landscape feature installation and removal and disposal of existing pole and structures;
- In return for satisfactory completion of the above commitments, Rogers would be entitled to a rebate on its annual license fee up to a maximum of the lesser of \$75,000 for the first 5 year term and the first renewal term, for a total of 10 years, representing a total rebate of \$75,000 towards the capital costs of the installation, or (b) 50% of the actual costs to Rogers of replacing the field light pole;
- Rogers would pay all hydro fees, property taxes and all other costs attributable to their uses under the license;
- Rogers operational obligations, and all other rights and risk allocations as between Rogers and Park Board (and as between Rogers and Vancouver Professional Baseball) such as for example, cancellation, relocation, insurance, indemnity and liability would be as set out in the Existing Antenna Agreement as modified to reflect current conditions;
- Rogers would ensure that its operations did not interfere with the quiet enjoyment of the park by park users and park neighbours;
- Rogers would meet or exceed all existing Canadian government standards including Industry Canada's Safety Code 6 regulations that establish permitted levels of radio frequency;
- Rogers would undertake design and construction, arrange for all necessary permits and provide plans and construction drawings for approval by the General Manager prior to commencement of any work;

- The new pole, underground electrical service and structure would become the property of the Park Board following construction.

Schedule:

The work would be undertaken in the fall of 2008 and coordinated with the ongoing construction projects related to the Vancouver Olympic Centre/Paralympic Centre, the Bell Telecommunications project and the Nat Bailey 2008 game schedule. No work is to be undertaken prior to the approval of a license agreement.

Summary of Benefits and Contributions:

The key public benefits of this proposal would be:

- Improved public infrastructure and amenity,
- Reduction in capital costs which would require future funding from tax payers,
- Improved mobile telecommunication service in this area, and
- Additional annual Park Board revenues to fund parks and recreation services.

Rogers would provide funding of the capital costs of the light pole replacement, undertaking the construction and contributing 50% towards the cost of the light pole and providing an enhanced landscape feature to the traffic island of the parking lot. Park Board is providing access to the land and foregoing up to \$75,000 in future revenue as a contribution to the estimated \$150,000 costs of the new pole.

Vancouver Canadians Baseball benefits by reduction in future capital costs for the replacement of a light pole.

Staff recommends approval of a license agreement with Rogers for this installation. Vancouver Professional Baseball have been consulted and are in support.

**SUMMARY**

This report recommends approval for a license agreement for Rogers Wireless telecommunication equipment on a replacement sport field light pole in Hillcrest Park.

Prepared by:

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Vancouver Board of Parks and Recreation  
Vancouver, BC  
LM:ci

## ATTACHMENT A

ROGERS Wireless Proposal  
August 2008



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NAT BAILEY FOR CLI

## ATTACHMENT B

### ROGERS Shelter Building



Rogers metal clad (11ft. x 17ft.) equipment shelter, door can be situated on the side as shown or the end of the building. The foundation can be set lower to be almost flush with grade.