

**Long-term Lease Agreement – Switch Inc.****Report Purpose**

To seek approval to enter into a long-term lease agreement between Strathcona County and Switch Inc. for the construction, support, and operations of an internet tower and related structures at Plan 9020134, Lot A.

**Recommendation**

THAT a long-term lease agreement with Switch Inc., for the construction, support, and operations of an internet tower and related structure on Plan 9020134, Lot A in the NW 18-51-21-W4 on the terms and conditions as set out in items 1 through 7 of the July 16, 2024, Planning and Development Services report, be approved.

**Our Strategic Goals**

Goal 1 - Economic Prosperity

Goal 3 Priority - Growth and development that prioritizes community well-being and economic benefits

Goal 1 Priority - Development of emerging sectors that supports innovation, economic diversification and tourism

Goal 3 Priority - Investment in our infrastructure that supports development and complete communities

**Report**

Switch Inc. has requested to enter into long-term lease agreement with Strathcona County for the placement of an internet tower on Plan 9020134, Lot A (also known as Lakeview and the former sailing club site).

Switch initially presented as part of the original submission a location within the community of South Cooking Lake at the South Cooking Lake Community Hall. Following a public engagement meeting and the feedback received from the community, the location was reconsidered and was suggested to be relocated to this general area. Subsequently, Switch Inc. withdrew their application and have made a formal application to consider this location.

The lease agreement being utilized is consistent with the County's standard form agreement and includes the following general principles:

1. Market value rent: rent will be reviewed at the start of each five-year term.
2. Term of lease: the initial term is five years, with three additional five-year renewal options.
3. Termination notice: a 30-day notice for material breach or 90 days for other reasons.
4. Indemnity and insurance: standard provisions related to liability and insurance.
5. Permitted uses: defined used for the leased land.
6. Responsibilities: outlines responsibilities for both tenant and landlord.
7. Surrender of land: the land must be returned at the end of the lease term or earlier termination.

Administration supports entering into the long-term lease agreement.

**Council and Committee History**

November 14, 2023 THAT long-term lease agreements with Switch Inc, for construction, support and operations of an internet tower and related structures at the Strathcona Olympiette Center (Lot 11MR, Block 1, Plan 1220578), South Cooking Lake Community Hall (Lot 12, Block 1, Plan 9320961), Deville North Cooking Lake Community Hall (Lot 1, Plan 9120799), and Hastings Lake Community Hall (Lot A, Block 1, Plan 7820590) on the terms and conditions as set out in items 1 through 7 of the November 14, 2023 Planning and Development Services report, be approved.

**Other Impacts**

**Policy:** Land Management Policy SER-012-011. The term of a lease for County-owned land or facility shall not exceed five years unless approved by Council Resolution.

**Legislative/Legal:** *The Municipal Government Act* authorizes a municipality to dispose of property under certain conditions and restrictions. The agreement provides the necessary legal documentation to occur between the County and the tenant.

**Financial/Budget:** Rent revenue is based on industry standards and market value and is subject to review every five years.

**Interdepartmental:** n/a

**Master Plan/Framework:** n/a

**Enclosure**

1 Lease agreement – Switch Inc. presentation