

**TELECOMMUNICATIONS – MUNICIPAL ACCESS AGREEMENTS**  
**BELL CANADA**

**Recommendation**

The Director of Legal Services and the Commissioner of Engineering and Public Works recommend:

1. That staff be directed to revise the standard form of municipal access agreement on terms and conditions that are consistent with the principles outlined in a Report to Council dated June 27, 2000 and in a form satisfactory to the City Solicitor; and
2. That a by-law be enacted to authorize the Mayor and Clerk to execute on behalf of the City the standard form of municipal access agreement with Bell Canada.

**Purpose**

The purpose of this report is to seek authorization from Council to amend the standard form of municipal access agreement pursuant to which licensed telecommunication carriers shall be permitted to install, operate and maintain telecommunications infrastructure within City road allowances and other property and to execute such a municipal access agreement with Bell Canada.

**Background**

A previous Report to Council dated June 27, 2000 outlined in detail the municipal consent authority of the City under the federal *Telecommunications Act* to regulate the use of municipal road allowances and other municipal property by licensed telecommunications carriers. The Report also set out Principles of Use of Rights-of-Way and appended a list of Standard Terms that are generally contained in such agreements.

The City has entered into one such agreement, being an interim municipal access agreement with Futureway Communications Inc. dated January 1, 2001.

The standard form of municipal access agreement has been revised to accord with the model form of agreement that is being utilized by other GTA municipalities. The revised form of agreement adheres to the general principles of use of municipal road allowances outlined in the earlier Report and incorporates virtually all of the standard terms as previously identified.

Staff has negotiated a revised form of municipal access agreement with Bell Canada that will form the standard model of agreement that other telecommunications carriers seeking to use the City's road allowances and other property will be required to execute. The administrative fee figure has been adjusted higher to be consistent with fees being charged by other municipalities.

**Conclusion**

It is recommended that the standard form of municipal access agreement be revised and that the City enter into a municipal access agreement with Bell Canada in a form that is satisfactory to the City Solicitor.

**Attachments**

None

**Report prepared by:**

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Respectfully submitted,

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Director of Legal Services