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**Date** November 14, 2023 **Report No.** 2023-489  
**To** Chair and Members  
Committee of the Whole – Planning and Administration  
**From** Michael Bradley  
Commissioner of Community Development

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### 1.0 Type of Report

Consent Item   
Item For Consideration

### 2.0 Topic License Agreement for Air Monitoring Station (324 Grand River Avenue) [Financial Impact: \$6,000]

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### 3.0 Recommendation

- A. THAT Staff Report 2023-489 entitled License Agreement for Air Monitoring Station (324 Grand River Avenue) BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to place the License Agreement between His Majesty the King in the Right of Ontario as represented by the Minister of Infrastructure and the City of Brantford on the Council Signing By-Law.

### 4.0 Executive Summary

This report presents a request from the Minister of Infrastructure, Province of Ontario to permit the continued presence of an Air Monitoring Station (the “Station”) on a small portion of lands at the Water Treatment Plant property located at 324 Grand River Avenue, Brantford, as shown in Figure 1. This Station has been in its present location since 2002. The original license agreement between the City and the Ministry provided for a three year term

which expired in 2005. There has been no agreement in place since 2005. The Air Monitoring Station is active and transmits local air quality information to the Ministry's website on an hourly basis.

The Ministry has indicated that they would like to continue to have the Air Monitoring Station in its present location at 324 Grand River Avenue and wishes to enter into a long term agreement with the City. The initial term would be for five years, with an option to renew for an additional two five-year terms.

## **5.0 Purpose and Overview**

The purpose of this report is to obtain Council's approval to enter into a License Agreement with the Ministry of Infrastructure, Province of Ontario for an initial five (5) year term with the option to renew for an additional two terms of five (5) years each.

## **6.0 Background**

The City of Brantford (the "City") commencing on January 29, 2002, entered into a Memorandum of Understanding ("MOU") with the Her Majesty the Queen in the Right of Ontario as represented by the Minister of Infrastructure (the "Ministry") to effect the placement of an Air Monitoring Station (the "Station") on a small portion of the property municipally known as 324 Grand River Avenue, Brantford (the "Lands"). 324 Grand River Avenue is the location of the City's Water Treatment Plant.

The initial MOU provided arrangements and understandings in the air monitoring activities undertaken by the Ministry that would be of mutual benefit to the Ministry and the City's long-term interest. The Ministry and the City agreed to collaborate in areas of environmental concern in order to establish an air monitoring facility and improve their mutual understanding of air quality in the City of Brantford.

Pursuant to the MOU, the Ministry paid for the construction of the station, which is a shed type facility on the lands, and paid the costs of the installation of a hydro connection and telephone connection, to a maximum cost of \$3,750, with the City providing the lands and constructing the cement foundation on which the station would sit. Any costs in excess of \$3,750 provided by the province were to be covered by the City. There is no record of costs exceeding this limit, and no other contribution by the City other than the provision of the lands and setting of a cement base.

Subsequent to the MOU with the Ministry and the construction of the Station, the City and the Ministry entered into a License Agreement that provided for a term of three (3) years, commencing on January 1, 2003 and ending on December 31, 2005. The term of the Original license has long expired and there is no valid agreement in place at this time.

## **7.0 Corporate Policy Context**

Council Strategic Priorities 2023-2026 Goal 2: “Focus on productive and collaborative partnerships” and Goal 10, “Build a greener Brantford”.

The Acquisition and Disposition of Interest in Lands Policy (Corporate -042) requires that license agreements exceeding one (1) year must be approved by City Council.

## **8.0 Input From Other Sources**

Input for this report has been provided by Environmental Services and Legal Services Departments along with the internal Real Estate Committee.

## **9.0 Analysis**

The Air Monitoring Station is a 10’ by 10’ shed type structure containing electronic equipment and antennas for the sole purpose of monitoring the air quality in the City and transmitting the data collected to the Ministry via an internet connection. The data is transmitted to the Province’s website Air Quality Ontario<sup>1</sup> and is readily available to the public twenty four (24) hours a day.

The location (Figure 1) of the Station at 324 Grand River is strategic. It collects air samples continuously and transmits reports to the Ministry’s website, Air Quality Ontario. This information is valuable to the residents of Brantford and surrounding area, notably during the recent ‘smoke’ days. Media and other outlets access this data to keep the public notified of air quality. While the agreement to locate the station at 324 Grand River is long expired, it is beneficial to the City and its residents to permit the station to operate in its current location.

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<sup>1</sup> Province of Ontario – Air Quality Monitoring, <https://www.airqualityontario.com>.



Figure 1: Location of Air Monitoring Station, 324 Grand River Ave.

The Station monitors the air quality in and around Brantford and transmits this information on an hourly basis to Air Quality Ontario. Figure 2 shows the air quality in Brantford on June 28, 2023, when the air quality was poor due the Canadian forest fires burning during that period of time.

The red, orange and yellow graphs show poor air quality, while the blue is good or fair. This information is readily available to private and public sectors alike, twenty four (24) hours a day.

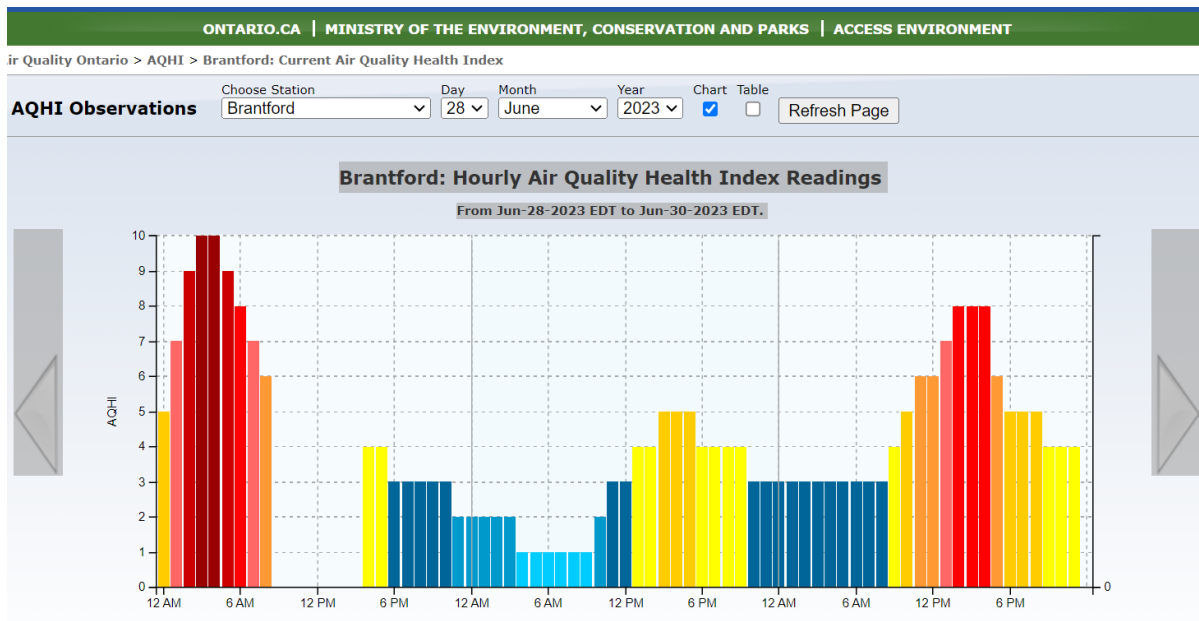


Figure 2: Graph showing hourly air quality in Brantford on June 28, 2023 during the summer forest fire season.

The Ministry maintains a number of similar stations throughout the Province of Ontario strategically located in a number of municipalities. A review of stations in six other municipalities in the province revealed that three (3) were on private lands, one (1) on provincial lands and two (2) were on municipal lands. The City of Barrie and The City of Guelph both have stations on municipal lands, and they are responsible to provide snow removal and landscaping maintenance to ensure access to the station.

The Ministry is proposing a new license for an initial five (5) year term with the option to renew for an addition two (2) five (5) year terms. The Ministry has offered the City of Brantford the sum of \$1,200 per annum to help cover the costs of maintenance and hydro usage; previous to this proposed Agreement, the Ministry has not provided a monetary contribution toward ongoing costs. The terms of the license are standard, with provisions that stipulate the City will clear snow from and around the Station during the winter months, cut grass and maintain any landscaping around the Station at its sole expense. These provisions were terms of the original license agreement. A provision will also be included to limit access to the site to operating hours of the City's Environmental Services building.

## **10.0 Financial Implications**

The proposed license agreement will include a \$1,200 annual contribution from the Ministry, a new revenue source, towards the maintenance of the station for the first five year term, with future terms to be negotiated six months in advance of term renewal.

The City already maintains this property, so there is no additional cost related to property maintenance. The \$1,200 annually will more than offset the costs of hydro which is less than \$100 monthly.

## **11.0 Climate and Environmental Implications**

Climate change contributes to a decline in air quality through increased pollution, spikes in poor air quality during extreme heat events and wildfire smoke and other environmental emissions. Understanding the quality of the air in Brantford on a daily basis helps residents to plan or alter their activities to ensure their safety and the safety of others. Ensuring the continued operation of the Air Monitoring Station at 324 Grand River Avenue will allow the residents of Brantford to receive accurate and up-to-date information on air quality.

## **12.0 Conclusion**

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Staff recommend that the City proceed with entering into a License Agreement with the Ministry for an initial five year term with the option to renew for an addition two terms of five years each.



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Michael Bradley  
Commissioner of Community Development

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Environmental and Sustainability Policy Advisory Committee.

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required  yes  no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk  yes  no

Is the necessary by-law or agreement being sent concurrently to Council?  yes  no