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WHEREAS the city is committed to using plant health care preventative measures or integrated pest management techniques, including fertilization, aeration, top dressing, over seeding, proper watering, and monitoring on city property, where feasible;

NOW THEREFORE the council of the City of Burlington approves the following:

THAT in those limited instances where the application of pesticides is permitted on city property (such as the destruction of poison ivy), turf management companies contracted to apply pesticides on City of Burlington property must be accredited by Ridgetown College, University of Guelph, in integrated pest management; and,

THAT the Mayor forward a letter to the Ontario Minister of the Environment indicating Burlington's support for the integrated pest management accreditation program as a provincial requirement.

2.0 PURPOSE:

The purpose of this report is to update council on the issue of reducing the use of pesticides for cosmetic or non-essential purposes, including:

- Public outreach and awareness activities;
- The status of the municipal regulatory approach to restrict the use of pesticides; and
- Progress of the Integrated Pest Management (IPM) accreditation program in Ontario.

3.0 BACKGROUND AND RELATIONSHIP TO STRATEGIC PLAN:

Reducing pesticide use and promoting healthy green spaces reduces our impact on the natural environment and meets the goals of the city's strategic plan, Future Focus VI:

Long Term Goal:

- *The city will be a leader in making a high level of environmental performance one of the primary goals of its policies, programs and operations, and in the actions of its citizens, to provide the highest quality of life for all.*

Short Term Goals:

- *The city will enhance the quality of air, land, water and the city's natural heritage.*
- *The city will increase citizen and business awareness and participation in improving the environment.*

Pesticide Bylaws

In October 2002 staff committed to update council on the status of municipal pesticide by-laws under the following conditions:

- *Passage of time (ie. three years to reflect a council cycle in keeping with the previous recommendation approved by Regional Council).*
Three years have passed since staff presented its report on regulatory options to restrict pesticides on private property.

- *Changes in provincial legislation providing a specific and clear legislative framework for municipal regulation of non-essential use of pesticides on private property.*

The question of authority appears to be clearer given the recent decision issued by the Ontario Court of Appeal on Croplife Canada's appeal of the Toronto pesticide by-law. Croplife is a trade association representing pesticide manufacturers. The court upheld the by-law on May 13, 2005, that the City of Toronto has the authority to pass the by-law under s. 130 of the Municipal Act S.O. 2001 C25. However, Croplife has appealed this decision to the Supreme Court of Canada.

- *Support by the Region of Halton's Medical Officer of Health for a local regulatory approach.*

The Regional Medical Officer of Health, Dr. Nosal, continues to recommend 'prudent avoidance' of the use of pesticides to protect health and environment. Prudent avoidance means relying on preventative measures and using chemical pesticides only when all other measures fail.

Municipalities continue to review options to restrict the use of pesticides on private property, such as the Towns of Newmarket and Markham, and the Region of Waterloo. Staff are aware of eight municipalities in Ontario that have implemented by-laws, whereas others have decided to focus on educational measures. Refer to Appendix A for a municipal update.

The cost and responsibility of enforcing a pesticide by-law is a significant issue for most municipalities. As well, municipalities do not have the authority to restrict the sale of pesticide products at the retail level; this is a provincial responsibility.

Healthy Green Spaces Strategy

In 2002 the *Healthy Green Spaces Strategy for Public Lands* was developed by the Healthy Green Spaces Committee and approved by council. The strategy focuses on city owned green spaces, building on the turf program where preventative measures have been implemented and pesticides have essentially been eliminated with exceptions for pest infestations, including occurrences of poison ivy. Pesticides are used on a limited basis at Tyandaga golf course, the Central Park Lawn Bowling green, and Greenwood cemetery.

The strategy also focuses on those city lands that are natural or have the potential to be naturalized. The goals and objectives recognize the importance for the city to show leadership and raise awareness how these areas are integral to our environment and quality of life.

The naturalization sub-committee has been working to implement several of the actions set out in this strategy. Although a more detailed report will be forthcoming on results to date, the committee would like to highlight some success stories to date:

- Installation of naturalization signage in appropriate park locations;
- Support for the Watershed Planning Network's efforts to install signage to identify the Hamilton Harbour Watershed and its creeks;
- Partnership with Charles C. Beaudoin Public School staff and students on a naturalization planting at Taywood Park in April 2005;

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- Ongoing support for the Grindstone Creek restoration and Hidden Valley Park tree planting;
- Progressing toward Audubon accreditation for Tyandaga Golf Course; and,
- Continuation of awareness activities for healthy creeks and water pollution prevention (brochures, displays, posters).

Partners for Naturally Green

Staff have worked with Partners for Naturally Green, a committee of staff from Halton Region, the four area municipalities, and Landscape Ontario, for the past two years delivering an outreach and awareness campaign to residents and business owners encouraging them to reduce their use of pesticides. Funding for the program was provided by all partners, supporting direct mailings to residents, newspaper and radio advertisements, information pamphlets and lawn signs, the annual pesticide exchange, and a point-of-purchase pilot project.

In 2005, the committee continued with education and awareness activities, including banner displays for municipal sites, the annual pesticide exchange event, and additional profile-raising activities. Additionally, the committee engaged in advocacy strategies to encourage senior levels of government to build on current initiatives and continue research into the health effects of pesticide use. The approach of the partners includes exploring opportunities for consumer participation on a committee involved in the development of policy related to pesticide use, particularly under Health Canada. Please refer to Halton Region item MO-09-05 (March 15, 2005) for further details on the Partners for Naturally Green program.

The annual pesticide exchange event was held on two days this summer, the first at the Halton Waste Management site and the second in conjunction with Environment Day hosted by the region at the Gary Allen Adult Education Facility (formerly General Brock High School). Burlington staff and volunteers from the Sustainable Development Committee participated in the pesticide exchange by providing information, lawn signs and gardening supplies to residents as they dropped off their old and unused pesticides and other household hazardous waste. A total of 1,630 vehicles came through both events and 1,868 litres of pesticides were collected. See Appendix B for further details on the pesticide exchange.

Staff also arranged for the new banner display to be exhibited in various community facilities throughout the city. And for the second consecutive year, the Civic Rose Award committee has recognized organic gardens in Burlington.

IPM Accreditation

An option that council has expressed some interest in is the requirement that the local lawn care industry be accredited in Integrated Pest Management (IPM) through a business licensing by-law. On July 7, 2003 the following council directions (Refer to report CC-164-03-1) were approved:

THAT in the absence of a mandatory IPM accreditation by the Province, City Council endorse in principle the requirement of IPM accreditation as a condition of licensing the lawn care businesses for operation in Burlington; and,

THAT staff continue to monitor the progress of the IPM accreditation program and report back to Council in one year with a further review of the advisability of mandating IPM accreditation for Burlington companies in the lawn care business for operation in Burlington.

As reported at the time, the Pest Management Regulatory Agency provides the following description of IPM:

“IPM puts the emphasis on prevention, looks at all available information and considers all the management options before deciding on the most effective, economical and environmental means of managing a pest problem.”

IPM Accreditation in Ontario is administered through Ridgetown College, Guelph University and consists of four components:

- A one time IPM examination for the company’s designated agent (cost \$200).
- An annual desk review audit to ensure proper employee training, appropriate customer education & marketing materials, pesticide reduction where appropriate, etc. (annual cost of \$435). The company is Accredited – Level 1 upon a successful audit.
- On-site audit once every three years. The company is Accredited – Level 2 upon a successful audit.
- Agents must obtain eight continuing education units annually or write an examination.

At the time of writing this report, there are 71 companies and 20 golf courses in Ontario that have attained Level 1 IPM Accreditation.

4.0 DISCUSSION:

IPM Accreditation

The IPM accreditation program was developed by a group of organizations committed to the development of a national IPM program. The program in Ontario continues to be voluntary and it does not appear that the provincial government is planning to mandate IPM accreditation as part of their licensing requirements at this time, although this is the goal of the current IPM Council. Accreditation is currently available for lawn care and golf course operators. The next stage is to provide a program for municipal parks.

Theoretically requiring businesses to be IPM accredited should result in a reduction of the use of pesticides by the local lawn care industry, as the emphasis is on preventative measures. However, the program would not apply to the do-it-yourself homeowner and the city has no authority to restrict the sale of pesticides as this is regulated by the province. A public outreach and education program would still be required to raise awareness on how do-it-yourself homeowners can achieve a healthy lawn, while minimizing the use of pesticides.

The City has in the past explored the feasibility of making IPM accreditation a requirement of a municipal licence requirement. At the present time, commercial pesticide operators are regulated by the province. The City’s practice has been not to license a business sector that is licensed or permitted by another level of government. Furthermore, the IPM accreditation program is not

formally recognized by senior levels of government. A confidential report detailing these issues has been prepared by the city's Legal Department.

Although not insurmountable, regulating the lawn care industry could cause some confusion between the responsibilities of municipal and provincial enforcement officers with respect to the proper application of pesticides by licensed operators. This responsibility would remain with provincial enforcement officers. The city's enforcement officers would only deal with whether or not a company doing work within the city was IPM Accredited, if required by the city through a licensing by-law.

Requiring IPM accreditation through the city business licensing by-law would add additional costs to local lawn care companies, including the license fee of approximately \$125.00. The first year IPM accreditation fee is over \$600, covering the one-time entry exam and desk audit. The annual fee is currently \$435, covering the annual desk audit costs and a field audit every three years.

Lawn care operators in Ontario that utilize pesticides are also required to obtain a Pesticide Operator (Business) License from the Ministry of the Environment at a cost of \$200 that must be renewed annually. In addition many companies belong to trade organizations, such as Landscape Ontario, that require annual dues. For example the annual membership fee for Landscape Ontario is currently \$300.

Given the challenges listed above with requiring IPM accreditation through the city's business licensing by-law, staff do not recommend proceeding with this option at this time. Staff do recommend promoting the IPM accreditation program within the community and advocating that it become a provincial requirement by the following means:

- Requiring that turf management companies contracted to apply pesticides on city property (eg. poison ivy problem areas) are IPM accredited;
- Raising community awareness, particularly with large property owners/management companies, on the benefits of hiring an IPM accredited company;
- Advocating that IPM accreditation become a provincial requirement; and,
- Issuing a challenge to local lawn care companies and golf courses to become IPM accredited (the city's Tyandaga Golf Course is IPM accredited).

Healthy Green Spaces Strategy

The Healthy Green Spaces Committee will continue to work with the Partners for Naturally Green and the Sustainable Development Committees to deliver an outreach and awareness campaign to Burlington residents. Actions include:

- Providing guidance to the SDC on a proposed pilot initiative to work with a group of residents to reduce their use of pesticides and looking at the potential to have an interactive site to post lawn & garden information/links;
- Consideration that signs be posted at high profile parks noting the city's use of preventative measures to maintain turf without the use of pesticides;
- Expand information on the city's website and print media (eg. City Talk, Focus and Environmental Corner) on how to maintain a healthy lawn and garden;

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- Continue to place information displays at city hall and satellite facilities with information for residents; and,
- Continue to support the Civic Rose ‘Green Garden’ award.

The naturalization sub-committee will continue to work on naturalization and ecological restoration initiatives. A report on these actions will be forthcoming.

5.0 FINANCIAL MATTERS:

The costs associated with raising awareness on the importance of reducing the use of pesticides and promoting IPM accreditation will be covered by the current operating budget of the Environment Section.

6.0 ENVIRONMENTAL MATTERS:

Refer to sections 4.0 and 5.0.

7.0 COMMUNICATION MATTERS:

Staff will work with Corporate Communications to continue to deliver the community awareness program to reduce the use of pesticides and promote the benefits of hiring an IPM accredited firm.

8.0 CONCLUSION:

Raising awareness on the importance of reducing the use of pesticides for non-essential uses continues to meet the goals of the city strategic plan, Future Focus VI. By working with Partners for Naturally Green, the Sustainable Development Committee, and senior levels of government, staff will continue to deliver an outreach and education program within the community encouraging healthy green spaces.

Respectfully submitted,

Lynn Robichaud
Sr. Environmental Co-ordinator &
Chair, Healthy Green Spaces Committee

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Appendices:

Appendix A: Municipal Update
Appendix B: Pesticide Exchange Results

Staff / Others Consulted:

Name	Telephone
Healthy Green Spaces Committee:	
- Brian Adriaans, RPM	x6172
- Teresa Giangregorio, Engineering	x7891
- Gavin Kellogg, Tyandaga GC	336-7786
- Rick Lipsitt, RPM	x6145
- Doreen Nicoll, Sustainable Development Ctte.	
- Sean O’Brady, Communications	x7531
- Rob Peachey, P&R	x7722
- Fleur Storace-Hogan, Environment	x7580
- Robin van de Lande, Planning	x7457
- Alan White, Lawn Care & IPM Council Representative	
Mark Covert, RPM	x6141
George Kotsifas, Building	x7617
Tracey Burrows, Building	x7476
Louise Fitzgerald, Building	x7886
Nancy Shea-Nicol, Legal	x7616
Cathy Marion, ITS	x7741
Beckie Jas, Region of Halton (Partners for Naturally Green)	825-6000 x7678
Mary Ellen Scanlon, Ministry of the Environment	905-521-7715
Violet van Wassenaer, Ministry of the Environment	416-327-3699
Karen Clark, Toronto Health	416-392-6788
April Hexemer, Waterloo Region	519-883-2008 x5396
Sara Peckford, Caledon	905-584-2272 x4269
James Reffle, London Health	519-663-5317 x2424
Cindy Toth, Oakville	905-845-6601 x3299
Mavis Urqhart, Markham Environmental Management Team Management Committee Sustainable Development Ctte.	905-415-7516

Notifications:

Name	Mailing or E-mail Address

Special Instructions:

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APPENDIX A

Update – Ontario Municipalities

Township of Archipelago*	<ul style="list-style-type: none"> Adopted pesticide restriction by-law in 2003
Town of Caledon*	<ul style="list-style-type: none"> By-law approved April 28th, 2003 and effective May 1st, 2004 Pesticide applications are not permitted in July & August with some exceptions All other times, pesticides are restricted to spot applications covering no more than 20% of the horticultural landscape Effective May 1, 2005, applicators for golf courses must be IPM accredited A public information record of commercial applicators will be maintained by the town beginning May 1st, 2005.
Town of Cobalt*	<ul style="list-style-type: none"> Adopted pesticide restriction by-law modelled on Hudson, Que. Exemptions include agriculture, horticulture (hot houses, etc.), water purification, swimming pools, etc. Does not exempt golf courses Came into effect on Nov. 1, 2002
City of North Bay*	<ul style="list-style-type: none"> Pesticide restriction by-law adopted on Feb. 28/05 Pesticide use is dependant on having certain “thresholds” of pests or weeds present before they can be used City must be notified when certain pesticide products are used but no permit required.
City of Peterborough*	<ul style="list-style-type: none"> Council adopted a pesticide restriction by-law May 2nd 2005. By-law effective March 1st 2006 Restricts the use of pesticides on private property but does not require a permit from the city
Town of Perth*	<ul style="list-style-type: none"> By-law adopted, effective April 1st, 2003 (similar to Cobalt’s) Exempts golf courses with conditions Penalties range from \$100 for first infraction to \$4000 for corporations or other legal entities.
Town of Thorold*	<ul style="list-style-type: none"> Adopted a pesticide restriction by-law effective July 1st, 2004 requiring the Town to permit the application of pesticides on private property.
City of Toronto*	<ul style="list-style-type: none"> Council adopted by-law May 22nd, 2003 restricting the non-essential use of pesticides with exceptions. Enforcement of lawn care operators begins 2005; enforcement of do-it-yourself homeowners begins Sept. 1, 2007. The Ontario Court of Appeal upheld the by-law on May 13, 2005, however, Croplife, a trade association representing pesticide manufacturers, has appealed this decision to the Supreme Court of Canada. Extensive public awareness/education program with media ads, fact sheets, brochures, technical guide, retail point of sale program, telephone info line, etc.

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City of Guelph	<ul style="list-style-type: none"> • By-law was considered through a public consultation process. No by-law adopted. • Staff directed to develop an outreach & education program.
City of Hamilton	<ul style="list-style-type: none"> • Policy adopted to minimize the use of pesticides on city lands. • By-law recently considered by council; referred back to pesticide committee for further consultation. • Outreach & awareness program is being delivered by Green Venture.
City of London	<ul style="list-style-type: none"> • Currently considering a pesticide by-law restricting the use of pesticides on private property and that lawn care operators register with the city, indicating whether they are IPM accredited.
Town of Markham	<ul style="list-style-type: none"> • Undertaking public consultation to consider implications of adopting a pesticide restriction by-law. • Outreach & education. • Pesticide free parks pilot. • Partnership with Toronto Region Conservation Authority to deliver Green Neighbourhoods Program
City of Mississauga	<ul style="list-style-type: none"> • Not pursuing a private pesticide by-law at this time. • Have a 1% target for pesticide reduction on public lands.
Town of Newmarket	<ul style="list-style-type: none"> • 2004 - Council has directed staff to review options to restrict pesticides on private property.
Town of Niagara-on-the-Lake	<ul style="list-style-type: none"> • 2004 - Council decided not to adopt a pesticide restriction by-law due to enforcement issues. • Will proceed with an outreach & education program.
Town of Oakville	<ul style="list-style-type: none"> • By-law considered by council; decision made to implement an outreach & education program, working with Partners for Naturally Green.
Town of Orangeville	<ul style="list-style-type: none"> • Considering adoption of a by-law to restrict the use of pesticides on private property.
City of Ottawa	<ul style="list-style-type: none"> • At the time of this report, staff recommended the adoption of a pesticide restriction by-law. Tie vote at council on Oct. 26th but voted to reconsider at November 9th meeting. • Corporate policy adopted 2004 – permits restricted use of pesticides on sportsfields under certain conditions, but pesticides are not used on other city lands.
City of Pickering	<ul style="list-style-type: none"> • Initiating an education/awareness campaign to reduce the use of pesticides on private property by encouraging a more integrated approach to lawn care.

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Town of Richmond Hill	<ul style="list-style-type: none">• Council direction is to pursue a pesticide reduction strategy, which may or may not include consideration of a by-law.• Public consultation process for strategy.• Delivering an outreach & education program, including a new pesticide brochure.
City of Vaughan	<ul style="list-style-type: none">• Vaughan is conducting a Pesticide Reduction Pilot Program, using an IPM code of practice, in all its municipal parks.• Under the guidance of an IPM committee, the city also provides a Healthy Lawns brochure, presentation in local schools, the provision of pesticide-free lawn signs, and mobile signs with a telephone number for info on Healthy Lawns.
Region of Waterloo	<ul style="list-style-type: none">• Staff undertaking public consultation for a regional pesticide restriction by-law• By-law will be considered by regional council in November.

(* Municipalities that have adopted pesticide restriction by-laws) Updated Oct.27/05



**2005 PESTICIDE-EXCHANGE EVENT
RESULTS SUMMARY**
Sat. June 11, 2005 and Sat. June 18, 2005
PARTNERS FOR NATURALLY GREEN

VEHICLE TOTALS

Event Location	Day of Week	Number of Vehicles 2005	Number of Vehicles 2004	Number of Vehicles 2003
Household Hazardous Waste Depot, Halton Waste Management Site, Milton Saturday June 11, 2005 <i>(event at this site was held Saturday only in 2005)</i>	Monday	N/A	120	127
	Tuesday	N/A	119	95
	Wednesday	N/A	74	102
	Thursday	N/A	115	78
	Friday	N/A	126	118
	Saturday	380*	314	312
	<u>WEEK TOTAL</u>		<u>380</u>	<u>863</u>
Environment Day – Gary Allen H.S., Burlington Saturday June 18, 2005	Saturday Total	1250	1005	757
<u>EVENTS COMBINED</u>	<u>GRAND TOTAL</u>	<u>1630</u>	<u>1868</u>	<u>1589</u>

LITRES OF PESTICIDES DIVERTED FROM THE LANDFILL

Amount Collected 2005 Totals	Number of Drums 2005	Total Litres 2005	Total Litres 2004	Total Litres 2003
Normal amount of pesticides collected*	N/A	N/A	195 L	163 L
Amount collected during pesticide-exchange	5 drums (X 65 L / drum)	325 L	520 L	715 L
Amount collected during Environment Day	11 drums (X 100 L / drum)	1100 L	455 L	400 L
TOTAL AMOUNT COLLECTED (Pesticide-Exchange Week AND Environment Day)	<u>16 DRUMS</u>	<u>1425 L</u>	<u>975 L</u>	<u>1115</u>

*Based on a week, Mon – Sat. at the HHW Depot, Halton Waste Management Site.