

COMMITTEE OF THE WHOLE DECEMBER 3, 2007

PESTICIDE FREE PRIVATE PROPERTY – UPDATE

(Item 3, Report No. 3 Referred from the Environment Committee meeting of November 26, 2007)

The Environment Committee, at its meeting of November 26, 2007, recommended:

- 1) That the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated November 26, 2007, be forwarded to the Committee of the Whole meeting of December 3, 2007;
- 2) That staff bring back a draft By-law and implementation plan by February 19, 2008; and
- 3) That the initial enforcement action commence March 1, 2008.

Report of the Commissioner of Legal and Administrative Services and City Solicitor dated November 26, 2007

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, in consultation with the Director of Enforcement Services, recommends:

That this report be forwarded to the Committee of the Whole Meeting of December 3, 2007 with a recommendation that staff bring back a draft by-law and implementation plan by February 19, 2008.

Economic Impact

The impact of this initiative will be calculated as the implementation plans are finalized.

Communications Plan

The communications and education strategies will be developed to augment the implementation plans.

Purpose

This report is to provide information relating to the status of the initiative to curtail the use of cosmetic pesticides on private property.

Background - Analysis and Options

At its meeting of June 11, 2007, Council directed staff to establish and conduct a Public and Stakeholder Consultation process, as well as report back to the Environment Committee with a draft by-law and implementation strategy.

Public consultation was conducted through two evening meetings, one in the east side of the City, and the other in the West. These meetings included information delivered by staff and external resources. The meetings were not heavily attended, with more residents at the east meeting. The questions and comments were predominantly in support of a ban. There were also several suggestions about incentives that could be used to solicit cooperation from property owners. These suggestions will be considered during the implementation planning process.

Public feedback was also solicited through an online survey. The survey consisted of 15 questions intended to obtain an accurate portrait of the individuals' views on restricting pesticides. At the time of this report, there had been a total of 97 responses to date.

The results of the questions and graphs illustrating the responses are attached to this report.

Highlights from the survey include:

- Most respondents indicated that pesticides pose a risk to children, adults, animals, and the environment. Only 23% indicated that they didn't believe there was any risk to the use of pesticides
- 63% of respondents felt that the By-law should apply everywhere in the City of Vaughan
- When asked if pesticides were permitted to be applied, who should be allowed to apply them, 33% indicated licensed operators with an I.P.M. accreditation. 49% of the respondents stated nobody should be able to apply pesticides.
- Only 13% of the respondents thought golf courses, and 17% of sports field should be exempt from the By-law. 34% thought that properties with infestations should be exempt.
- 55% thought that the By-law should ban all pesticides.
- 35% indicated that there should be either no phase-in, 35% also indicated a one year phase-in period would be acceptable
- 82% of the respondents live or work in the City of Vaughan
- 69% of respondents indicated that they do not use pesticides.
- Of those that did use pesticides, 87% used them to control weeds, and 85% used them to control insects.
- 61% of the respondents though that the City should spend a moderate to high budget amount to enforce the By-law.
- 74% though the By-law should restrict retail sales of pesticides in the City of Vaughan.
- 72% of respondents felt that the City should pass a By-law restricting the cosmetic use of pesticides.

The conclusion that can be drawn from the results of the survey is that there is significant support, among those that responded, for a by-law prohibiting pesticides. The comments from the public meetings also support the implementation of the By-law.

The implementation and communications strategies will need to be developed in further detail after the draft by-law is approved. The proposed implementation plan is as follows.

Action Steps	March 1, 2008	March 1, 2009	March 2010
By-law Enacted	☆		
Education/Non-Regulatory Phase	—————▶		
Initial Enforcement Action	—————▶		
Charges Laid			—————▶

Step 1 - Non-Regulatory Approach

It is recommended that an education program be developed to raise awareness and acceptance of the rationale for eliminating the cosmetic use of pesticides.

Staff from Enforcement, Parks and Corporate Communications should work together to develop and deliver this program. Other municipalities are using media promotions, telephone information lines, letters/pamphlets to homeowners, and web based information. A combination of these may prove beneficial.

The initial "education" period should cover the 8 – 12 months immediately following the enactment of the By-law. The education component will continue throughout all of the implementation phases.

Step 2 - Initial Regulatory Action

The next progression in obtaining compliance with the By-law would entail having Enforcement staff respond to complaints regarding suspected use of pesticides. Staff will provide the homeowner suspected of using pesticide with educational material along with a Notice to Comply with the By-law.

Step 3 – Increased Regulatory Action

The final step in the progression towards compliance could involve the licensing of companies that spray private property. This would mandate that the driver of the vehicle has in his possession, to provide on demand, a certificate of analysis of the content of the pesticides being used. Staff may also consider charging individual property owners for the use of pesticides if the evidentiary requirements can be met.

In addition to the consultation outlined in the report above, a further consultation meeting is planned for November 22, 2007 with affected industries; golf courses and cemetery operators in particular were invited to attend. This report is required to be submitted prior to that date. Further information can be provided at a future date.

Relationship to Vaughan Vision 2007

This initiative is in keeping with the Vaughan Vision in that it speaks to Community Safety and safeguarding our environment.

Regional Implications

Properties under the ownership or control of York Region would be impacted by this by-law as it is anticipated that the by-law would apply to all lands within the boundaries of the City of Vaughan, and as such, staff at York Region have been contacted.

Conclusion

The consultative process supports proceeding with a cosmetic pesticide ban in the City of Vaughan. Staff will now complete the draft by-law and develop the implementation strategies.

Attachments

1. Online Pesticide Survey Results Overview

Report prepared by:

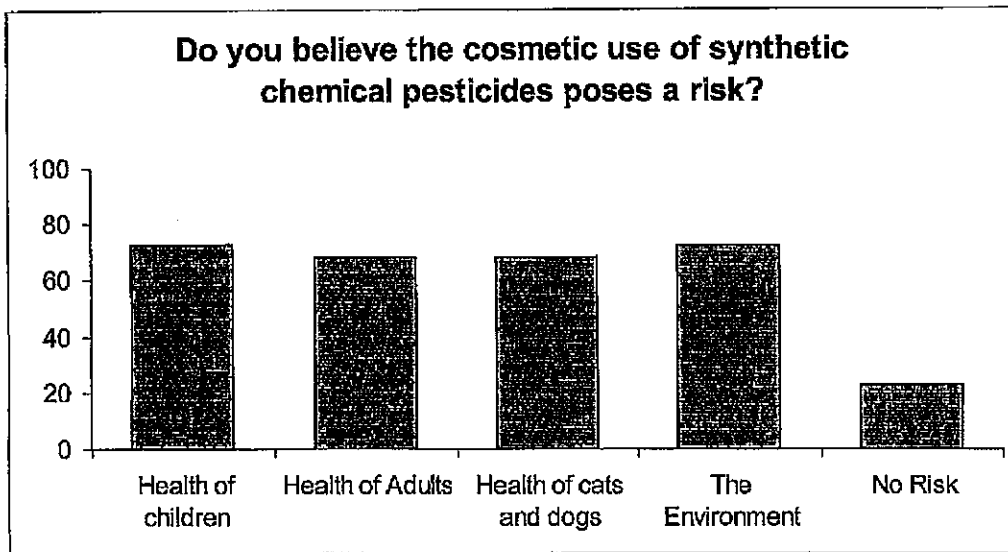
Tony Thompson
Director of Enforcement Services

ONLINE PESTICIDE SURVEY RESULTS OVERVIEW

The data below is drawn from the City of Vaughan online survey. The figures represent the responses to the 15 questions in the survey. The numbers indicated are in a percentage format.

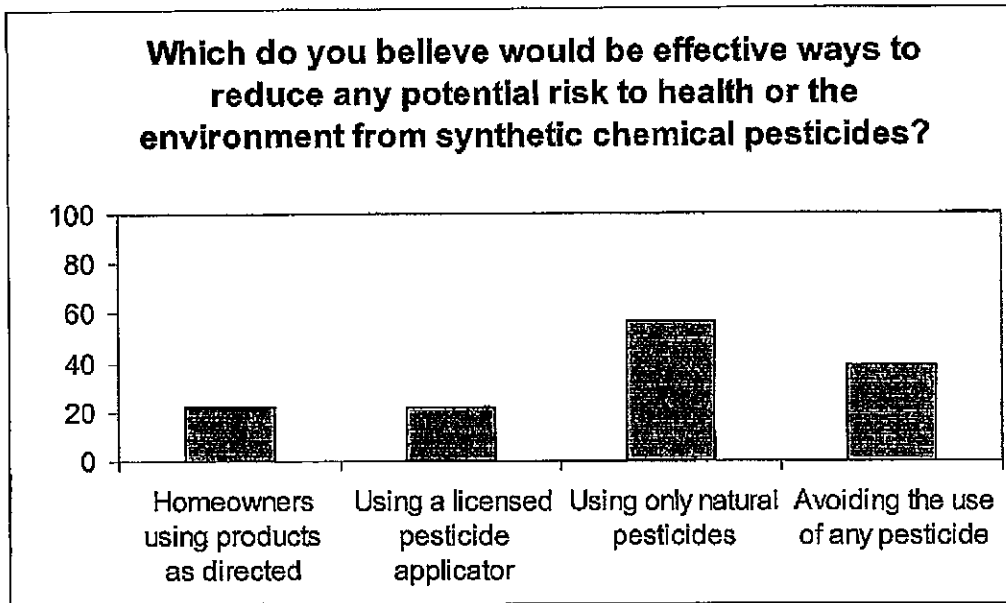
Question #1 asked the respondent if they thought that pesticides pose a health risk to specific groups. Respondents thought that pesticides posed a health risk to humans, animals, and the environment. Only 23% of the responses indicated that they thought there was no risk to any group.

Question #1



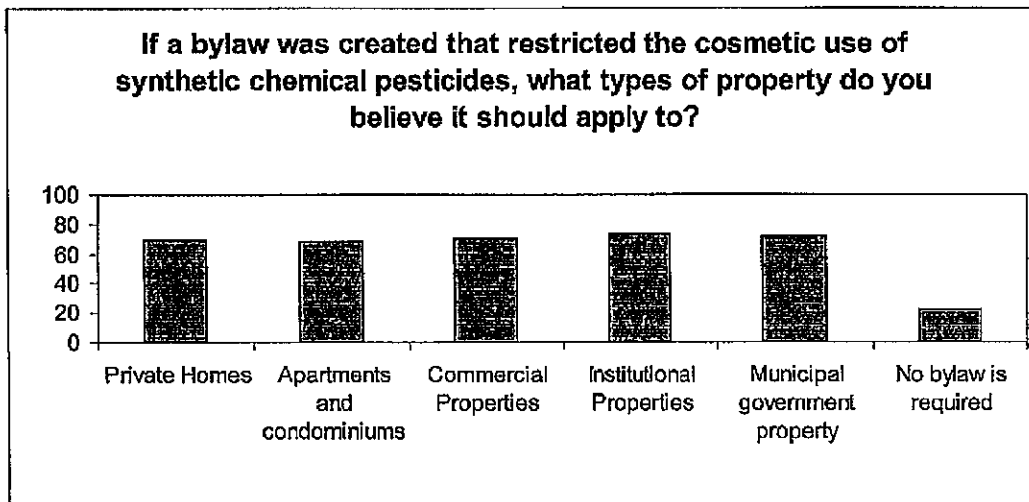
Question # 2 asked the respondent what they thought would be effective ways to reduce risks. Those that responded, 57% stated using only natural products would reduce risk. Avoiding the use of any pesticide was selected 39% of the time.

Question #2



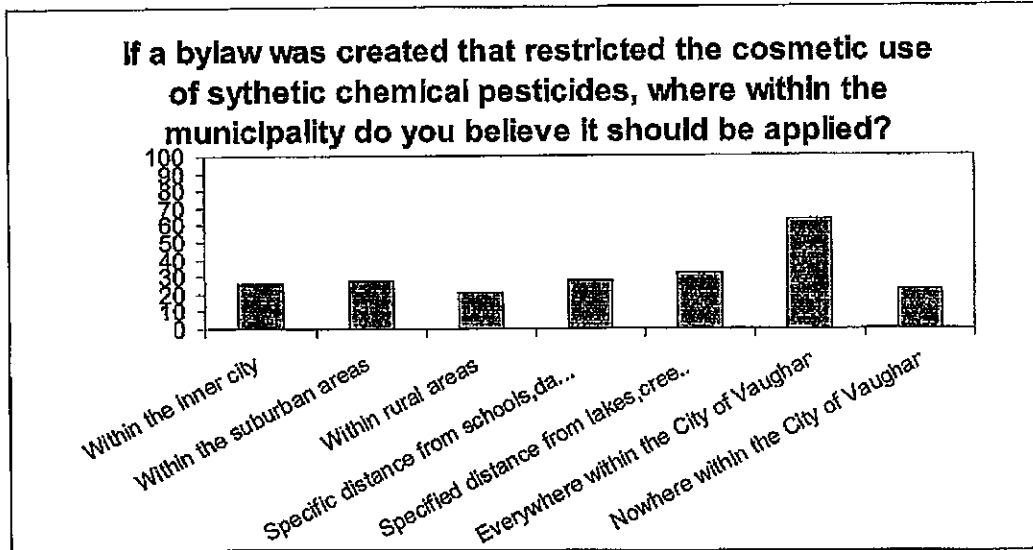
Question # 3 asked respondents which types of properties the by-law should apply to. The responses demonstrated in the table below, were fairly consistent between 68-73% in all properties listed. Only 22% indicated no by-law was required.

Question #3



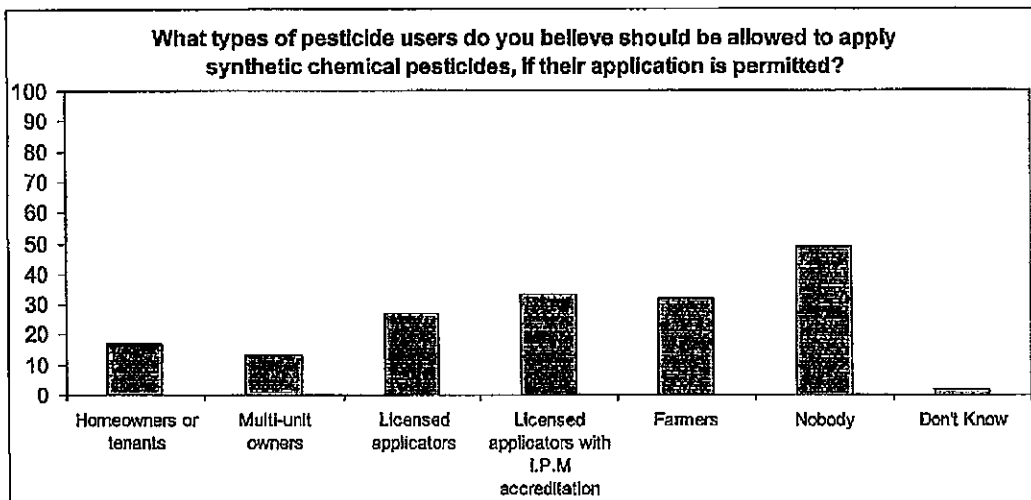
Question # 4 expanded on the previous question by requesting the respondent to select where in a municipality they believe the by-law should be applied to. While there were places selected, 63% of the selections were for "everywhere within the City of Vaughan".

Question #4



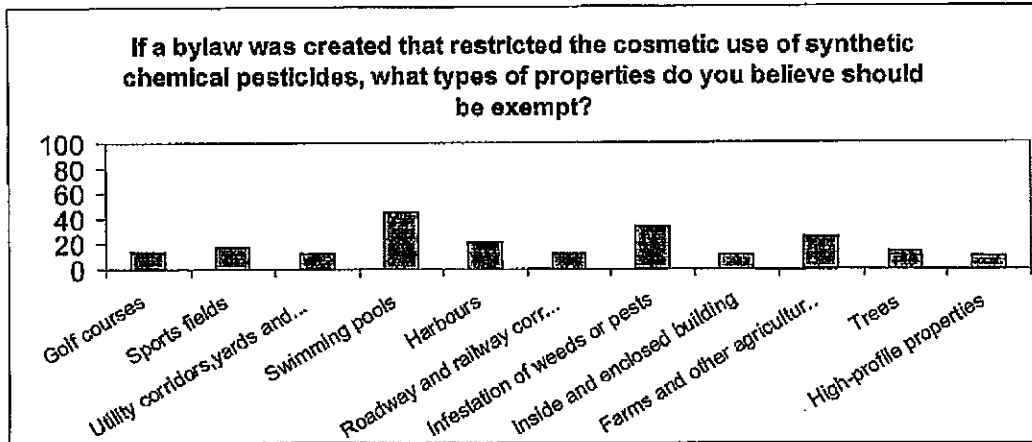
Question #5 inquired as to what types of pesticide users should be allowed to apply chemical pesticides, if pesticides were allowed to be used. The survey indicated that 49% of the respondents chose "nobody" as one of their responses. The next highest response was licensed applications with IPM accreditation.

Question #5



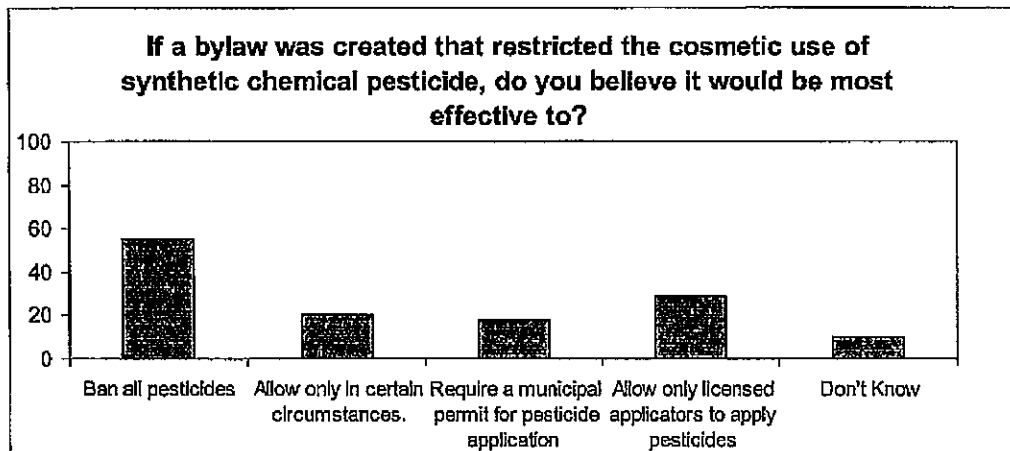
Question #6 asked what types of properties should be exempt from the by-law. The response with the highest selection rate was swimming pools at 45%. Swimming pools have been exempted in most other municipalities. The next highest response selected was properties with an infestation at 34%. Interestingly, respondents only selected golf courses 13% of the time.

Question #6

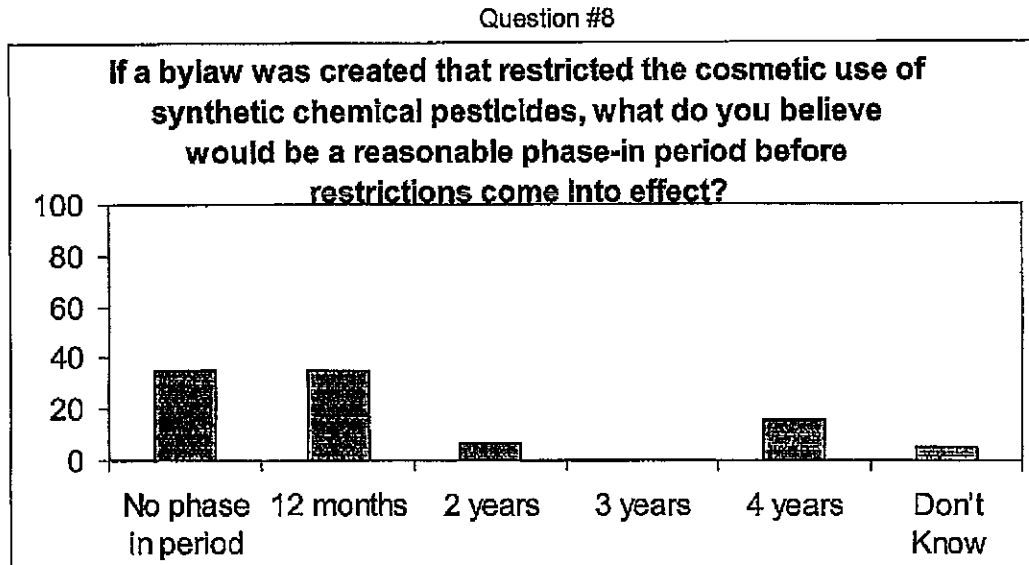


Question #7 asked respondents to choose how they thought the most effective way to restrict the use of pesticides. Banning all pesticides received 55% of the responses. Allowing licensed applicators received 29% of the replies.

Question #7



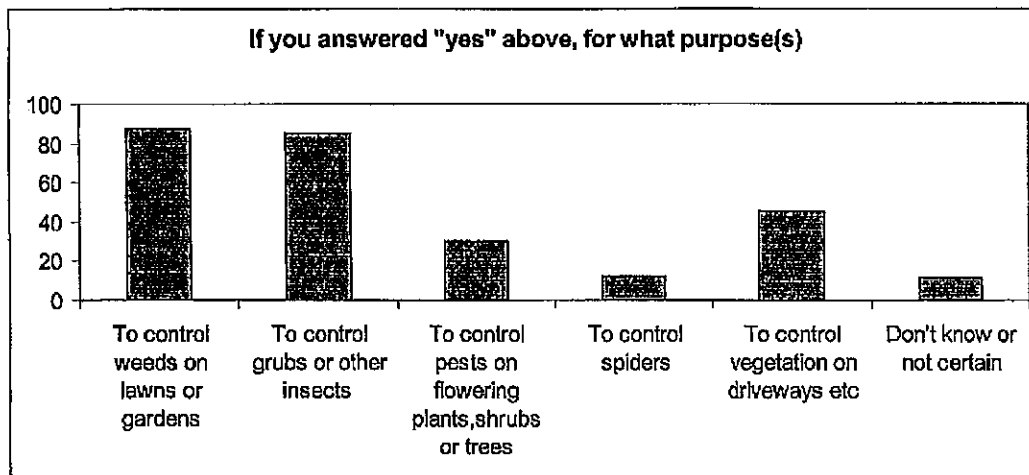
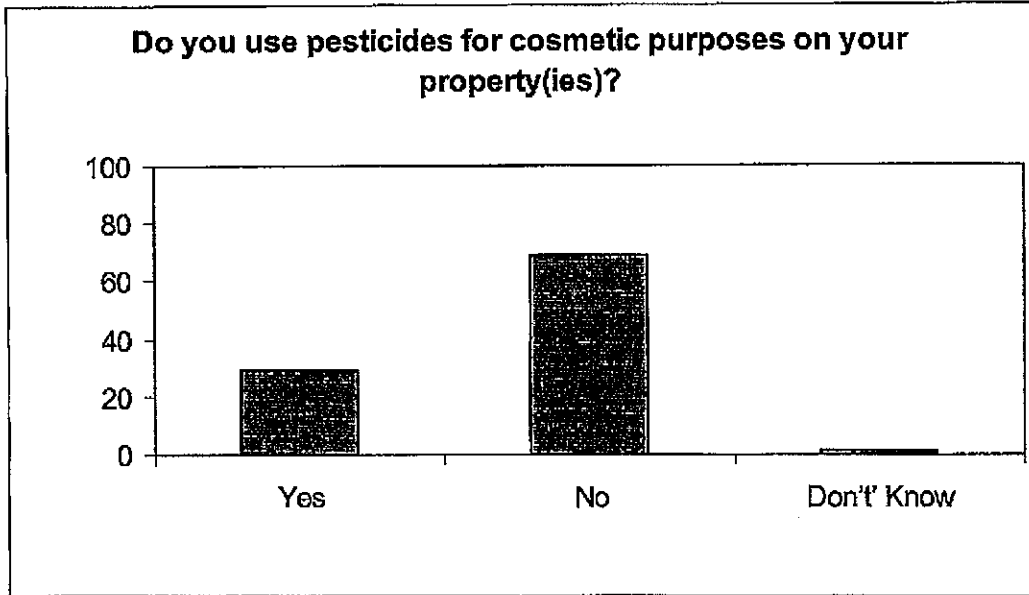
Question #8 asked what the respondents thought would be a reasonable phase in period. No phase in period was selected 31% of the time. The highest percentage, 39%, was for a 12 month phase in period.

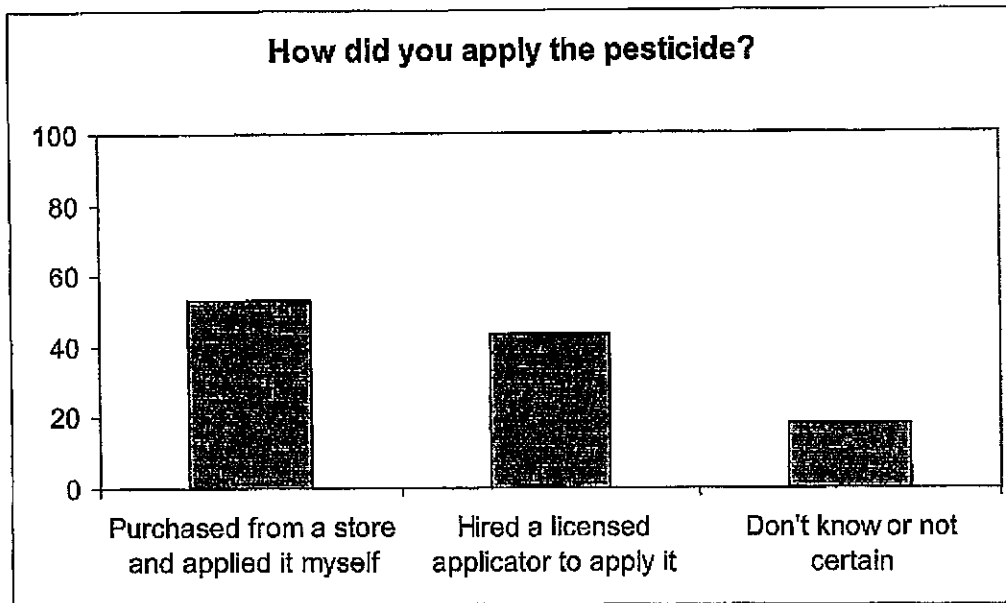


Question # 9 asked respondents to identify their particular situation. 82% of the time people indicated they lived in a house, 69% on City water, and 80% either lived or worked in the City of Vaughan.

Question #10 asked the respondents if they used pesticides on their properties. 69% of the respondents advised they did not use pesticides. For those that indicated they did use pesticides, 87% used pesticides to control weeds, and 85% used them to control insects. Of those that used pesticides 53% stated they purchase the pesticide from a store and applied it themselves.

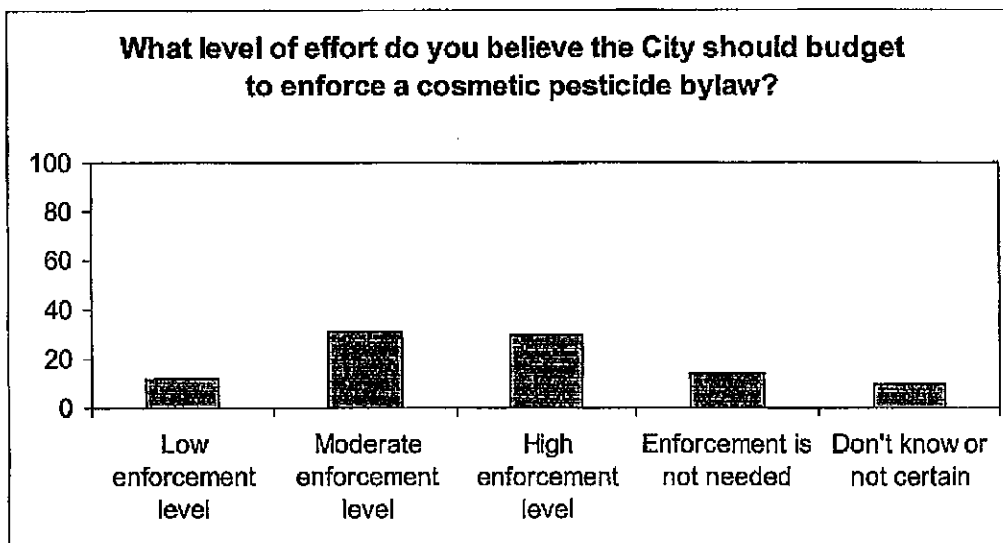
Question #10





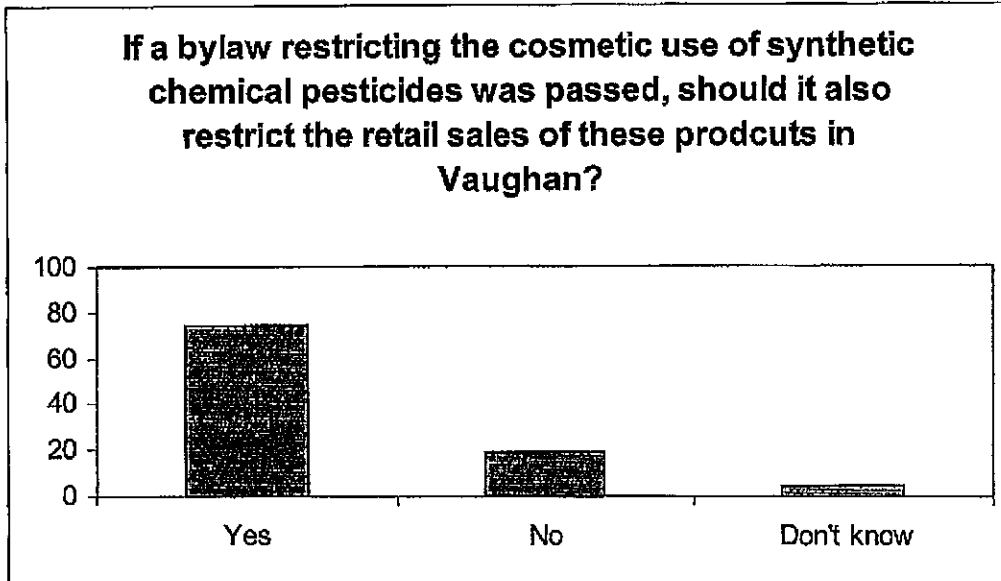
Question #11 requested the respondent to provide their thoughts on what level of effort they thought the City should budget to enforce the by-law. 31% thought that a "moderate cost" was appropriate, 30% thought that a "high cost" was needed.

Question #11



Question #12 asked the question; Should the By-law also restrict retail sales of pesticide products in Vaughan. 74% felt the by-law should restrict retail sales.

Question #12



Question #13 asked whether the City of Vaughan should pass a by-law restricting the use of pesticides. 71% stated that a by-law should be enacted, while 24% thought no by-law is required.

Question #13

