

The logo features a stylized graphic of a city skyline with three buildings of varying heights to the left of the word "TORONTO" in a bold, sans-serif font. To the right of "TORONTO" is the text "STAFF REPORT" in a smaller, all-caps, sans-serif font. A horizontal line is positioned below the text.

TORONTO STAFF REPORT

November 7, 2002

To: Board of Health

From: Dr. Sheela V. Basrur, Medical Officer of Health

Subject: Summary of Public Consultations and Proposed Next Steps in the Phase Out of Non-Essential Outdoor Pesticide Use in Toronto

Purpose:

To report on the results of the Medical Officer of Health's public consultation process on the nature and scope of a potential pesticides by-law, and to propose the next steps in the process to reduce outdoor pesticide use in the City of Toronto.

Financial Implications and Impact Statement:

Toronto Public Health has requested through the 2003 operating budget process \$163,500 gross / \$81,800 net to fund a Health Promotion Consultant starting April 1, 2003 and expenses related to educational outreach to increase public awareness of the ways to reduce pesticide use.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) the Board of Health authorize the Medical Officer of Health to convene key stakeholders, including pesticide retailers, lawn and garden care companies, community groups and relevant government agencies, for the purpose of forming a Pesticide Reduction Partnership, as described in this report;
- (2) the Medical Officer of Health, in consultation with the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism, report back to the Board of Health by April 2003 on the formation of a Pesticide Reduction Partnership, including its proposed membership, terms of reference,

governance structure, pesticide reduction timelines and a detailed, three-year implementation plan to meet its targets;

- (3) the Medical Officer of Health, in consultation with the City Solicitor, report back to the Board of Health by April 2003 with a policy that forms the basis of a by-law restricting the outdoor use of pesticides and is consistent with the objectives of the Pesticide Reduction Partnership;
- (4) the Board of Health forward this report and all attached documents to the Works Committee, the Economic Development and Parks Committee, the Pesticides Reference Group, the Toronto Interdepartmental Environment (TIE) Pesticides Subcommittee, the Ontario Ministry of the Environment, and Health Canada's Pest Management Regulatory Agency for their information and appropriate action; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting on July 16, 2001, the Toronto Board of Health (BOH) considered a report from the Medical Officer of Health (MOH) regarding the capacity of a municipality to regulate the non-essential outdoor use of pesticides. The Board of Health recommended the development of a strategy to phase out non-essential outdoor uses of pesticides on public and private property in the City of Toronto. City Council, at its meeting on November 6, 2001, directed the MOH to seek broad input on the nature and scope of a potential pesticides by-law. Consequently, Toronto Public Health (TPH) staff developed and managed an extensive public and stakeholder consultation process that took place over a 12-month period ending in October 2002.

The consultation process gave rise to a large volume of information that is consolidated into four separate reports, each of which is accessible to the public from Toronto Public Health's website (www.toronto.ca/health). The attached report, "Reducing Outdoor Pesticide Use in Toronto: Finding Common Ground" summarizes the results obtained during the public consultation process and identify key issues regarding the reduction of outdoor pesticide use. Based on an analysis of the findings from the consultation process, the report proposes a unique, made-in-Toronto approach that builds on the best ideas among diverse public and stakeholder views. We refer to this as the "common ground" approach.

Comments:

(1) Public Consultation Process

Toronto Public Health developed a public consultation framework that consisted of several different components to maximize the number of opportunities and mechanisms for public and stakeholder input. The consultation components consisted of two stakeholder workshops, six public meetings (one in each former municipality), access to an on-line comment page, review of letters/e-mails and a City-wide telephone survey.

Toronto Public Health contracted with two independent and highly qualified external consultants, following the standardized corporate tendering process and procedures. The table below identifies the key consultation components, the consulting company which undertook the activity, and the resultant technical reports. During the consultation period, Toronto Public Health staff and the consultants met with over 500 people at the stakeholder and public meetings, received over 240 written submissions, and heard from 1,000 Toronto residents who were randomly selected to provide their views on reducing pesticides.

Overview of Pesticide Consultation Components:

Component	Consultant	Technical Reports Produced*
Public meetings	Lura Consulting	Reducing Outdoor Pesticide Use in Toronto: Finding Common Ground. Appendix A: Public Meetings Summary Report (Note: full report is also available on website)
Stakeholder workshops	Lura Consulting	Record of City of Toronto Stakeholder Meeting – January 23, 2002. Towards a Strategy for the Phase-Out of Non-Essential Uses of Pesticides. (Note: this report was released at the April 8, 2002 Board of Health meeting). Reducing Outdoor Pesticide Use in Toronto: Finding Common Ground. Appendix B: Record of City of Toronto Second Stakeholder Meeting.
Telephone survey	Smaller World Communications	Reducing Outdoor Pesticide Use in Toronto: Finding Common Ground. Appendix C: Public Opinion Survey – Summary of Preliminary Results. (Note: further analysis of survey data is underway and will be consolidated into a Final Report).

* Available on website at www.toronto.ca/health

The results of each consultation component helped inform the design of the next component. The results of the first multi-stakeholder meeting gave rise to the four pesticide reduction options - public education and outreach; industry-led voluntary initiatives; by-law to protect vulnerable populations; and by-law on all properties (with some exceptions) - that became the focus of the six public meetings. The results of the public meetings and second stakeholder workshop contributed to development of the questionnaire used in the telephone-based public opinion survey.

The purpose of the public meetings and stakeholder workshops was to capture the range of views on the need for and best strategies for reducing pesticide use in the City. It is important to note that while public meetings and stakeholder workshops are effective mechanisms for assessing the range of opinion on an issue, they are not reliable indicators of the relative distribution of opinion in the general population. To determine the degree of public support for various pesticide reduction strategies, a telephone survey was conducted with 1,000 randomly selected

residents, including those with and without lawns and gardens. The survey was conducted during the last week of September and first week of October 2002.

(2) Key Findings From the Public Consultation Process

All components of the public consultation process showed overwhelming support for reducing pesticide use in the City, both on public and private lands. Most consultation participants believed that significant pesticide reductions were desirable and achievable. The most commonly cited reasons for reducing pesticide use were as a precaution to protect people's health, and to protect the natural environment (and other species such as pets, beneficial insects, birds, aquatic organisms) from the adverse effects of pesticides. Eighty-six percent (86%) of respondents in the public opinion survey were in favour of the City of Toronto exploring ways to reduce outdoor pesticide use.

Although there is a high level of agreement on the merits of reducing pesticide use, there is a divergence of views on the best mechanism(s). Analysis of the findings from the six public consultation meetings indicates there are two major perspectives on the best approach to reducing pesticide use outdoors: one perspective is the City should pursue a strategy that features voluntary industry-led initiatives; another perspective is the City should pursue a strategy featuring a by-law on all properties (with some exceptions). The public consultation meetings also revealed considerable common ground within these two perspectives. This common ground included the following shared beliefs:

- (a) that public education and outreach needs to be part of any strategy;
- (b) that a combination of strategies is needed to reduce pesticide use; and
- (c) that the City needs to work together with stakeholders and other levels of government to be successful.

The second stakeholder workshop (which followed the six public meetings to discuss pesticide reduction options) reaffirmed the existence of two distinct perspectives. On the one hand, the lawn care and pesticide industry advocated for voluntary measures, including strategies such as public education and industry self-regulation. On the other hand, health, environmental and community-based stakeholders advocated for a pesticide by-law that would phase out the use of non-essential pesticides on private property.

The results of the public opinion survey suggest considerable convergence of views in moving ahead now with multiple strategies to reduce pesticide use. Survey respondents expressed extremely high levels of support for using alternative methods and products to traditional pesticide use. For example, 94% supported stores offering more alternative products, 96% wanted the lawn care industry to offer more alternative products and services; and 97% wanted stores to offer more information on alternative methods and products. When asked whether they were in favour of or opposed to the City implementing a by-law to restrict most outdoor uses of pesticides on private property, including their own or their neighbours, 72% were in favour of these restrictions. The current level of support for a pesticide by-law is higher than the level of support (66%) observed by Toronto Public Health in its survey conducted in January 2000, prior to the Supreme Court decision upholding the pesticide by-law of the town of Hudson in Quebec.

The 2002 public opinion survey showed very high levels of support (87%) in favour of the City implementing a by-law to legally restrict most outdoor uses of pesticides close to schools, daycares, homes for the aged and hospitals.

(3) Building Support for a Common Ground Approach through a Pesticide Reduction Partnership

Toronto Public Health proposes that the City embark on a “common ground” approach to reducing pesticide use that blends the best features of the voluntary industry-led approach with the best features of the by-law option. We believe that the most practical and effective option to achieve significant pesticide reductions is one based on the creation of a Pesticide Reduction Partnership. The proposed Partnership would link retailers, lawn and garden companies, key environmental and health groups, and relevant government representatives (including Health Canada’s Pest Management Regulatory Agency and the Ontario Ministry of Environment) through a shared commitment to achieve ambitious pesticide reduction targets over a three-year period. By working collaboratively with industry and community stakeholders, the City can amplify its educational and outreach efforts so as to accelerate the transition to landscaping methods that rely as little as possible on chemical pesticides.

Toronto Public Health proposes the following pesticide reduction targets for implementation by the Pesticide Reduction Partnership.

Proposed Pesticide Reduction Targets:

User Group	3-Year Pesticide Reduction Target (%)	Description
Domestic (household)	90	Reduction in pesticide applications by householders for lawn and garden care
Landscape (horticultural)	90	Reduction on residential properties through the landscape and horticultural industries
	100	Reduction on all school, daycare, homes for the aged and hospital properties
	60	Reduction for all remaining non-residential uses, including golf courses, commercial and industrial properties

These reduction targets would be achieved through implementation of IPM approaches by the horticultural/landscape industry and the public, through promotion of alternative pest control products and improved gardening methods, and through use of alternative ground covers and landscapes. These reduction targets are based on a study showing positive experiences in British Columbia, which has a mandatory IPM program, and a study conducted in Quebec by the Association of Ornamental Horticultural Services. Both studies demonstrate that rigorous application of IPM methods - that use pesticides only as a last resort when other alternatives have been exhausted - can be very effective in greatly reducing and often eliminating pesticide use, especially in residential settings.

The purpose of a Pesticide Reduction Partnership is to collectively meet ambitious targets in reducing pesticide use over a three-year period. Toronto Public Health, through consultation with potential members of a Pesticide Reduction Partnership, would develop a detailed three-year implementation plan along with suggested membership, terms of reference, pesticide reduction targets and timelines, and compliance monitoring mechanisms for the Partnership.

It is proposed that if the pesticide reduction targets are not met at the end of the three year implementation phase, pesticide use will be regulated by a City by-law. A Monitoring and Audit Committee would be established to develop the requirements for submitting indicator data by which to evaluate the success of the partnership in reaching its targets (e.g. amount pesticide used per hectare, total amount of pesticides used per sector, pesticide sales data, self-reported pesticide use by residents as determined through a telephone survey etc.). The role of the Monitoring and Audit Committee would be to monitor annual progress and to assess achievement in reaching the overall pesticide reduction targets.

The benefit of building a three-year initial implementation phase into the City's pesticide reduction efforts is that it will give industry and the community time to make the transition to gardening methods that do not rely on chemical pesticides. Doing so will also promote good will and co-operation among all stakeholders and residents, and it will enable those most knowledgeable about pesticide reduction opportunities to share their expertise and resources with all parties affected. TPH recognizes that the diligent application of Integrated Pest Management (IPM) techniques emphasizing optimal plant health and pest prevention can be an effective mechanism for significantly reducing, and in many cases, completely eliminating the use of chemical pesticides.

The findings of the public and stakeholder consultation process indicate that most parties recognize the importance of reducing pesticide use, and using pesticides only when it is essential to do so. However, there continues to be considerable difference of opinion as to what constitutes "essential use". Environmental and health advocates suggest pesticide use is essential only if no other alternatives are available, and if there is a need to control a significant health risk due to a pest infestation. Industry stakeholders tend to have a less stringent definition of what constitutes "essential use" and talk in terms of "not applying pesticides unnecessarily". It is for this reason that Toronto Public Health proposes the creation of ambitious reduction targets for all outdoor uses of pesticides in the City to avoid being entangled in case-by-case decisions as to what constitutes "essential" versus "non-essential" uses. In setting targets of less than 100%, it is assumed that the portion not targeted for reduction is "essential" because of a lack of viable alternatives at this time.

Conclusions:

The findings of the public consultation process indicate that virtually all parties recognize the importance of reducing pesticide use to better protect human health and the natural environment. There is a large spectrum of public and stakeholder opinion on the best mechanism to reduce pesticide use in Toronto, ranging from implementing a by-law to immediately restrict pesticide use on all properties, to encouraging voluntary industry-led initiatives. However, there is considerable common ground among these diverse perspectives. The overwhelming majority of

residents and stakeholders participating in the public consultation process noted that public education and outreach need to be part of any strategy, that a combination of strategies should be used, and that the City needs to work together with all key stakeholders and other levels of government to be successful.

Consequently, Toronto Public Health proposes to create a Pesticide Reduction Partnership with key community, industry and government stakeholders to function as a primary mechanism for achieving significant reductions in outdoor pesticide use on private and public lands. It is proposed that Toronto Public Health staff, in collaboration with potential members of the partnership, develop a detailed implementation plan including timelines and targets for pesticide use reductions. This should include a monitoring and audit process to measure pesticide reductions and assess achievement of the pesticide reduction targets during the initial three-year implementation phase. It is recommended that staff report back to the Board of Health in April 2003 on the proposed membership, governance structure, terms of reference, pesticide reduction targets and timelines, along with a detailed three-year implementation plan. It is further recommended that the Medical Officer of Health, in consultation with the City Solicitor, propose a policy that forms the basis for a by-law restricting outdoor pesticide use that is consistent with the objectives of the Pesticide Reduction Partnership.

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List of Attachments:

- (1) Reducing Outdoor Pesticide Use in Toronto: Finding Common Ground (Toronto Public Health, November 2002)