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**Board of Health**

April 9, 2003

To: Works Committee  
Economic Development and Parks Committee

From: Secretary, Board of Health

Subject: Proposed Pesticide By-law

**Recommendation:**

The Board of Health, at its meeting on April 7, 2003, among other things, directed that the following reports, along with Appendix A, B, and C contained in the Medical Officer of Health's report dated November 7, 2002 describing the "Common Ground" strategy, be forwarded to the Works Committee and the Economic Development and Parks Committee for their information, and with a request that they consider holding a joint meeting and to submit their comments with respect to this matter directly to Council for its meeting on May 21, 2003, for consideration with Board of Health Report No. 4, Clause No 1:

- (i) (March 25, 2003) from the Medical Officer of Health, presenting a pesticides by-law similar to the Hudson, Quebec by-law, and reporting on the experience of other jurisdictions as directed by the Board of Health;
- (ii) confidential report (March 7, 2003) from the City Solicitor, providing comment on the proposed Pesticides By-law, such report to be considered in-camera having regard that the subject matter relates to solicitor/client privilege;
- (iii) (March 18, 2003) from the Medical Officer of Health, providing information on the presence of pesticide residues in the Toronto environment; and
- (iv) (March 7, 2003) from the Commissioner of Works and Emergency Services, addressed to the Board of Health, the Economic Development and Parks Committee, and Works Committee, forwarding a joint report (March 7, 2003) from the TIE Pesticides Sub-Committee Co-Chairs, addressed to Toronto Interdepartmental Environment (TIE) Committee, providing an update on the activities of the TIE Pesticides Subcommittee in reducing outdoor pesticide use in Toronto.

Background:

The Board of Health at its meeting on April 7, 2003, had before it the following reports:

- (i) (March 25, 2003) from the Medical Officer of Health, presenting a pesticides by-law similar to the Hudson, Quebec by-law, and reporting on the experience of other jurisdictions as directed by the Board of Health;
- (ii) confidential report (March 7, 2003) from the City Solicitor, providing comment on the proposed Pesticides By-law, such report to be considered in-camera having regard that the subject matter relates to solicitor/client privilege;
- (iii) (March 18, 2003) from the Medical Officer of Health, providing information on the presence of pesticide residues in the Toronto environment; and
- (iv) (March 7, 2003) from the Commissioner of Works and Emergency Services, addressed to the Board of Health, the Economic Development and Parks Committee, and Works Committee, forwarding a joint report (March 7, 2003) from the TIE Pesticides Subcommittee Co-Chairs, addressed to Toronto Interdepartmental Environment (TIE) Committee, providing an update on the activities of the TIE Pesticides Subcommittee in reducing outdoor pesticide use in Toronto.

The Board also had before it the following communications:

- (i) (March 19, 2003) from Anne Hansen;
- (ii) (March 31, 2003) from Laurel Harrison, Member, Hamilton Coalition on Pesticide Issues;
- (iii) (April 1, 2003) from Susan Koswan, on behalf of Get Rid of Urban Pesticides;
- (iv) (April 1, 2003) from Dorothy McGuigan;
- (v) (April 1, 2003) from Lesley Forrester;
- (vi) (April 2, 2003) from Carol Frilegh;
- (vii) (April 2, 2003) from Molly Inglis;
- (viii) (April 2, 2003) from Luciano Martin, Executive Director, Action to Restore a Clean Humber;
- (ix) (April 3, 2003) from Carol Frilegh;
- (x) (April 3, 2003) from Nigel Tappin;
- (xi) (April 3, 2003) from Nigel Tappin;

- (xii) (April 4, 2003) from Martin Mostert;
- (xiii) (April 4, 2003) from Mike Christie;
- (xiv) (April 4, 2003) from Sinead Rafferty; and
- (xv) (April 7, 2003) from Donna Buck.

The following persons appeared before the Board of Health in connection with the foregoing matter:

- Janet Kasperski, R.N., Ontario College of Family Physicians;
- Kathleen Cooper, Canadian Environmental Law Association;
- Representative, Women's Environmental Health Network;
- Barbara Camm;
- Marlene Thompson;
- Bailey Myleville, Great Lakes United;
- Michael O'Sullivan, Humane Society of Canada;
- Gideon Forman, and submitted a written brief;
- Michael Goldman, Structural Pest Management Association of Ontario;
- Janet May, Pesticides-free Ontario;
- Sarah Climenhaga;
- Tony Di Giovanni, Landscape Ontario;
- Helen Martin;
- Kyle Tobin, Lawnsavers Plant Health Care;
- Don Dankowich, Scarborough Weedman;
- Darcy Olds, Urban Pest Management Council of Ontario;
- Liz White, Animal Alliance and Environment Voters, and submitted a written brief;
- Dan Passmore, Frechette Lawncare;
- Jill Fairbrother, Scotts Canada, and submitted a written brief;
- Bruce Lofquist, International Institute of Concern for Public Health;
- Debra Conlon, Urban Pest Management Council, and submitted a written brief;
- Lorne Hepworth, Crop Life Canada;
- Lorraine Van Haastrecht;
- Ryan Van Haastrecht;
- Carlo DeFrancesca, Professional Lawncare Association of Ontario;
- Lee Ratcliffe, obo Professional Lawncare Assoc of Ontario;
- Patrick O'Toole, Landscape Ontario, and submitted a written brief;
- Neil Tucker, Nutri-Lawn;
- Teri Yamada, Royal Canadian Golf Association, and submitted a written brief;
- Lillie Ann Morris, and submitted a written brief;
- Doug Counter;
- Ben Langer, and submitted a written brief; and
- Katrina Miller, Toronto Environmental Alliance.

Action:

The Board of Health took the following action:

- (A) endorsed the report (March 25, 2003) from the Medical Officer of Health regarding a proposed Pesticide By-Law and the attached by-law and directed that they be forwarded to City Council for approval for its meeting on May 21, 2003 in accordance with motion J14 which was adopted by Council on February 11, 2003;
- (B) recommended to Council, for its meeting scheduled to be held on May 21, 2003, that:
  - (1) the financial implications summarized in Table 2 related to the implementation of the Pesticide By-law be forwarded to the Budget Advisory Committee and then to the Policy and Finance Committee during the 2004 budget process for their consideration;
  - (2) the City Solicitor be authorized to prepare and introduce a Bill in Council in the form or substantially in the form of the draft by-law attached to the aforementioned report (March 25, 2003) as Appendix "A"; subject to:
    - (i) amending subsection B(1) to read:
 

"A product that uses pheromones to lure pests and 'quick-kill' traps for vertebrate species considered 'pests' such as mice and rats.";

and
    - (ii) amending subsection B(2) by adding horticultural vinegar (acetic acid) to the list of pest control products permitted for use in the City of Toronto;
  - (3) the Medical Officer of Health report back annually on progress made in achieving pesticide use reductions through the implementation and enforcement of the Pesticides By-law;
  - (4) City Council request the federal Minister of Health to ensure that regulations made under the Pest Control Products Act require annual reporting of pesticides sales data, in kilograms and/or litres, both by active ingredient and by municipality in which the products are sold, in order to facilitate municipal efforts to monitor and evaluate the effectiveness of pesticide use reduction programs;
  - (5) City Council request the federal Minister of Health and the provincial Minister of the Environment to expedite programs presently underway to increase public access to reduced-risk pesticides, restrict public access to high-risk pesticides, improve access to information about the safe use of pesticides, and increase co-operative efforts through the Healthy Lawn Strategy in order to reduce reliance on lawn care chemicals;

- (6) City Council request the federal Minister of Health and the provincial Minister of the Environment to include the municipal sector as a partner in the Federal/Provincial/ Territorial Committee mandated to provide advice and direction to governments on programs and policies for pesticides with the aim of enhancing sustainable pest control practices;
  - (7) City Council request the provincial Minister of the Environment to establish standards for Integrated Pest Management in regulations under the Pesticides Act, and provide that IPM training be required in order to be a licensed exterminator in the Province of Ontario;
  - (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (C) directed that the aforementioned reports along with Appendix A, B, and C contained in the Medical Officer of Health's report dated November 7, 2002 describing the "Common Ground" strategy be forwarded to the Works Committee and the Economic Development and Parks Committee for their information, and with a request that they consider holding a joint meeting and to submit their comments with respect to this matter directly to Council for its meeting on May 21, 2003;
- (D) directed that the aforementioned report (March 25, 2003) be forwarded to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Ontario Ministry of the Environment, Health Canada, the Ontario Public Health Association, and the Association of Local Public Health Agencies; and
- (E) requested the Medical Officer of Health to communicate with officials from the Federal and Provincial governments on the importance of preventing the retail sale of pesticides.

Secretary,  
Board of Health

Y.Davies/gj  
Item No. 3,4, and 5  
encl.

c.  
Medical Officer of Health  
Jane Speakman, Legal Services  
Interested Persons