



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Licensing of Wildlife Control Operators

Date:	November 10, 2015
To:	Licensing and Standards Committee
From:	Executive Director, Municipal Licensing and Standards
Wards:	All
Reason for Confidential Information:	This report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	P:\2015\Cluster B\MLS\LS15022

SUMMARY

This report responds to Licensing and Standards Committee's request to provide the Province of Ontario's reply to consider expanding its licensing requirements to include wildlife control operators and for the Executive Director, Municipal Licensing and Standards to give consideration to licensing wildlife control operators.

At its meeting of August 25, 26, 27 and 28, 2014, City Council adopted the staff recommendation to request the Province of Ontario to consider expanding its licensing requirements to include wildlife control operators. City Clerks sent a request to the Province on September 12, 2014. To date, the City has not received a response.

Municipal Licensing and Standards division conducted a thorough review of this issue and reported to the March 18, 2014 meeting of Licensing and Standards Committee.

A review of relevant legislation indicates that there are provincial laws in place to protect wild animals and residents of Toronto from unqualified wildlife removal companies. These laws are enforced by the Ministry of Natural Resources, Ontario Society for the Prevention of Cruelty to Animals (OSPCA) and Ministry of Government and Consumer Services.

Stakeholder consultations and research revealed some concerns with the activities of wildlife control operators, although the issues cannot be generalized to the entire industry.

Accordingly, the report recommended referring the matter to the Province of Ontario for consideration because it is the level of government with direct responsibility for wildlife management and the regulation of wildlife control activities such as hunting and trapping.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council receive this report for information.
2. City Council direct that the Confidential Attachment 4 remain confidential as it contains advice that is subject to solicitor-client privilege.

Financial Impact

There are no financial impacts beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of August 25, 26, 27 and 28, 2014, City Council requested the Province of Ontario to consider expanding its licensing requirements to include wildlife control operators.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.LS28.3>

At its meeting of May 26, 2014, the Executive Director, Municipal Licensing and Standards submitted a supplementary report for information on the steps necessary and preliminary financial estimates to undertake a licensing system for wildlife control operators in the City of Toronto.

<http://www.toronto.ca/legdocs/mmis/2014/ls/bgrd/backgroundfile-69196.pdf>

ISSUE BACKGROUND

The City of Toronto is home to a variety of wildlife animals, such as birds, raccoons, skunks and squirrels. Although most residents enjoy their interactions with wildlife, sometimes these interactions result in conflict particularly on private property such as squirrels nesting in attics or raccoons digging up lawns and gardens.

When dealing with wildlife conflict on private property, residents of Toronto have two options: responding to it themselves or seeking the assistance of a wildlife control operator. The "do-it-yourself" approach includes the use of deterrents such as ammonia-soaked rags or live traps to capture and remove the wildlife animal.

In general, wildlife control operators will take one of three approaches (or a combination thereof) when responding to wildlife issues:

- **No Trapping:** Some operators will not trap animals except as a last resort. Their preferred approach is to install one-way doors at access points to allow animals to leave the building, but prevent re-entry. Once the animals have left the buildings, the operator will seal the access point.
- **Live Trapping:** Some operators and individual property owners will trap and release animals using various types of live traps. Provincial regulation requires animals to be released within 1 km of the capture site.
- **Lethal Trapping:** Some operators will use lethal trapping or live trapping in combination with euthanasia. Under the *Fish and Wildlife Conservation Act, 1997* only trappers and hunters licensed through the Ministry of Natural Resources can kill wildlife. The Act and its accompanying Regulations also specify acceptable methods of trapping and euthanasia.

Many wildlife control operators provide home repair services to prevent future wildlife conflicts. Some wildlife control operators are also trappers licensed by the Ministry of Natural Resources under the *Fish and Wildlife Conservation Act, 1997*. Operators that use one-way doors or live traps are not currently licensed by any level of government.

Wildlife control operators in Canada are also not organized into a professional trade association. Some operators in Toronto however, are members of the National Wildlife Control Operators Association in the United States, which requires the completion of accredited training to receive certification.

COMMENTS

Municipal Licensing and Standards, in consultation with Legal Services conducted a thorough review on the feasibility of licensing wildlife control operators in 2013 and 2014, culminating in a report to the March 18, 2014 meeting of Licensing and Standards Committee. The reports from the Executive Director, Municipal Licensing and Standards and the City Solicitor are attached to this report, including the confidential advice from the City Solicitor.

The reports provided the results of public consultation, Provincial controls in place and municipal authority.

As directed by Licensing and Standards Committee, the supplementary report submitted to their meeting of May 26, 2014, from the Executive Director, Municipal Licensing and Standards provided the steps necessary and preliminary financial estimates to undertake a licensing system for wildlife control operators in the City of Toronto.

It is estimated that the expenses to develop and administer this licensing system are approximately \$810,000. The fee for a Wildlife Control Operator licence will be based on

cost recovery. Based on a scan of the industry, there are currently approximately 44 companies operating in this capacity, each with an average of three wildlife control operators. Staff estimate that there may be 132 licences issued. In order to recover the costs of the program, the licence fee for each operator is estimated to be \$6,100.

A review of relevant legislation indicates that there are provincial laws in place to protect wild animals and residents of Toronto from unqualified wildlife removal companies. These laws are enforced by the Ministry of Natural Resources, Ontario Society for the Prevention of Cruelty to Animals (OSPCA) and Ministry of Government and Consumer Services.

Accordingly, the previous report recommended referring the matter to the Province of Ontario for consideration because it is the level of government with direct responsibility for wildlife management and the regulation of wildlife control activities such as hunting and trapping.

CONTACT

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SIGNATURE

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Municipal Licensing and Standards

ATTACHMENTS

- Attachment 1: Report from the Executive Director, Municipal Licensing and Standards, dated March 4, 2014
- Attachment 2: Report from the Executive Director, Municipal Licensing and Standards, dated May 9, 2014
- Attachment 3: Report from the City Solicitor, dated March 28, 2014
- Attachment 4: Confidential Information on the Feasibility of Licensing Wildlife Control Operators