

# Town of Ajax Report



**Report To:** General Government Committee

**Prepared By:** Kassandra Cruciano – Grants, Partnerships, and Strategic Initiatives  
Coordinator  
Derek Hannan – Manager, Bylaw Services

**Report #:** LIS 2021-01

**Subject:** Residential Rat Control Rebate Program

**Ward(s):** All

**Date of Meeting:** April 12, 2021

**Reference:** January 25 2021 Council Minutes – Motion re: Rodent Control Rebate Program

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## **Recommendation:**

That staff be directed to prepare the necessary by-laws to enable the Town to require, where appropriate, a Pest Clearance Certificate as a pre-condition to obtaining a demolition permit, a sediment and erosion control permit, or a site alteration/servicing permit.

## **Background:**

At the January 2021 Council Meeting, a resolution was approved (ATT-1) directing Staff to report back to Council with information on residential rodent control rebate programs, including the following:

- Program administration (including bill-back to developers, if applicable);
- Conditions to qualify for a rebate;
- Monitoring requirements;
- Evaluating the success of the rebate program;
- Best practices among other municipalities; and
- Potential financial impacts.

Rat sightings are becoming increasingly common in many growing municipalities, owing to a range of factors including climate change, development, and the disturbance and reduction of rodents' natural habitats. Town officials, including members of Council, have noted an increase in complaints from residents concerned about rat control. Council has indicated its desire to support residents who are experiencing nuisance conditions and infestations on their properties as a result of factors that are beyond their control.

The purpose of this report is to respond to Council's direction by providing information on various rodent control measures, but in particular, a residential rat control rebate program.

**Discussion:****Existing Rodent Control Measures**

The Town's Property Standards By-law is the tool through which issues of pest infestations would be addressed. The By-law states the following in relation to pests:

*All buildings, and the exterior portions of buildings, shall be kept free of pest infestation such as rodents, vermin, birds, termites and insects at all times.*

In practical terms, enforcement activities are only appropriate and possible where there is clear evidence of an infestation (the presence of an unusually large number of pests in a place, typically so as to cause damage or disease). As of now, nuisance issues are the sole financial responsibility of the property owner.

In late 2019, staff implemented a process to ensure that properties at risk for infestation are looked at prior to the issuance of the demolition permit. Bylaw Services are circulated on applications for demolition permits, and are required to provide their approval before the permit process proceeds. Where the nature or occupancy status of a building gives Bylaw Services reason to believe there could be an infestation problem, an officer will be sent to examine the property (exterior only). Where the officer observes conditions that could indicate an infestation (extremely long grass, food garbage, etc.), they will require action from the property owner under the Town's Property Standards Bylaw, prior to demolition. Properties that are occupied or where there is little to no possibility of a problematic infestation, do not warrant a site visit.

In addition, staff have developed and distributed an information pamphlet to assist residents in addressing rat issues covering things like rodent proofing, garbage storage, products available on the market to help with rat control, etc.

Notwithstanding the measures above, it would appear, based on complaints received that the presence of rats continues to be a problem in some areas of Ajax.

**Jurisdictional Scan – Rodent Control Rebate Programs**

Several municipalities have implemented programs that see the municipality funding the cost, in whole or in part, of baiting and removal services. Generally speaking, the programs outlined below appear to be aimed specifically at rats, and are not intended to address other pests. A summary of existing programs follows.

**Niagara area municipalities**

A number of municipalities in the Niagara Region (including Welland, St. Catharines and Niagara Falls) introduced rebate programs for rat control in the 2018-2019 time-frame. Nearly identical to one another, these programs apply only to the exterior of residential properties, and provide a 50% rebate up to \$200, once per year for extermination services. The budget for rebates ranges from \$20,000 to \$50,000 annually, not including the cost of staff time to administer the program. For these programs, a Municipal Law Enforcement Officer (MLEO) inspects the exterior property and may provide preliminary suggestions to the resident on how to mitigate against the presence of rodents (e.g. removing bird feeders, cutting tall grass, enclosing garbage, etc.). If there is a concern with the property (i.e. the presence of factors that may be attracting rodents), the MLEO will advise the home owner on how to rectify the deficiencies. Any issues or litter must be taken care of before the resident is eligible for the rebate. The resident may hire an Ontario Pest Control company of their choosing; the invoice must clearly show the portion of the service that was for the exterior yard only (as pest control services provided to the interior of the home are not eligible

for rebate). A rebate form is then completed and submitted to the municipality with a copy of the invoice. Pending review and approval, the rebate is paid to the resident within 30 days.

#### Windsor & Sault St. Marie

The City of Windsor has a residential rodent control program that has been in place (with some changes over time), for more than a decade. The City has a contracted pest control service on retainer that it deploys to residences at no cost to the resident where evidence of rats exists. They also have a full time employee, a vehicle and education programming dedicated to the program.

Prior to 2017, residents were charged a fee for this service; the fee has now been removed. This service provides a maximum of 6 baiting sessions per residential address, per year. Residents are informed that they must clean up all debris in their yards. An inspector is sent to the property and the resident is required to sign a release form, allowing entry onto the property and consenting to the baiting. Once it has been determined that rats or rat burrows are present on the property, the City's pest extermination contractor will then begin the baiting process. The contractor will re-inspect and re-bait up to five times per session to eliminate the rat colony. The City of Windsor's costs for this program are approximately \$140,000 annually.

Sault St. Marie had a similar program implemented up until 2018 when budget constraints resulted in its cancellation; it was costing approximately \$100,000 per year to manage.

#### Region of Peel

The Region of Peel has recently implemented a 1-year pilot program aimed at the control of rats. The program is multi-faceted and includes a variety of tactics for rat control. The approximate annual cost is \$4 million a year. The program, in its current form, is fairly new, with certain elements being effective as of March 1<sup>st</sup> of this year. In the short-term, the Region is retroactively issuing rebates for hardware store-bought solutions (traps, bait, etc.) purchased over the past year, in addition to pest removal contractors/exterminators. However, going forward, the program will only reimburse 50% of the costs of an Ontario-licensed pest removal contractor. The maximum rebate is \$200. Residents can submit their application to the Region, who will review and process the documents and issue the rebate by mail. Inspectors may be deployed to the property to verify claims, but this is not a typical part of the rebate process.

#### City of Oshawa (*not pursued*)

In October of 2017, Oshawa Council directed staff to investigate ways to assist residents dealing with significant rat issues. Information was provided back to Council in December 2017 that indicated workload and cost concerns (including data development, identification of hotspot locations, and retention of a consultant). Costs were expected to be in excess of \$100,000; Council decided not to proceed, instead directing staff to focus their efforts on rat abatement activities such as communication and public education, enforcement of municipal standards in relation to infestations, and encouraging residents to use private pest control businesses to trap and remove rats.

### **Bill-back to Developers/Collection of Development Fee to fund a Rebate Program**

Staff have obtained legal advice on the possibility of having developers fund the cost of a Rodent Control Rebate Program through the collection of a security or a fee (e.g. through a development agreement).

Staff have been advised that it would not be legally defensible to do so, as securities or payments (secured or made) through these type of agreements must relate to the matters to be considered

in development under Sections 41 and 51 of the *Planning Act*. Sections 41 and 51 of the *Act* set out a list of conditions that a municipality may impose with respect to the development of land; neither section deals with the demolition of buildings or the rectification of a rodent problem. Based on this, the town solicitor's opinion is that an agreement authorized to be entered into under these sections do not permit a municipality to require security for rodent problems or the contribution to a rodent program.

### **Recommendation for a Pest Clearance Certificate from Developers**

In light of the above, staff have examined, in consultation with the Town's solicitor, how it might be possible to require developers to ensure properties are free of pests prior to commencing development. We have determined that the Town may amend several of its by-laws which establish the requirements to obtain certain permits, to impose a requirement for a report from a licensed pest control service, confirming that the property is free from pests, as a pre-condition of obtaining the permit. This requirement could be imposed at the discretion of Town staff depending on the nature of the development or demolition proposal.

Staff favour this option for addressing rodents as it can be easily implemented with no cost or resource implications to the Town of Ajax.

### **Option for a Rat Rebate Pilot Program in Ajax**

Should Council wish to pursue a rebate program for residents dealing with the presence of rats on their property, Staff would suggest a program similar in scope to the Niagara-area municipalities. Staff would recommend implementing the program as a 1 year pilot in order to provide the opportunity to assess the program's uptake and effectiveness prior to it being continued on a permanent basis.

The program would have the following features:

- The Town would provide a 50% rebate, up to \$200 (once annually) to residents for exterior extermination services;
- To be eligible for a rebate:
  - The application must be for a residential property;
  - The service provider engaged must be an Ontario Licensed Exterminator;
  - The invoice must show the portion of the service applicable to the exterior of the property;
- Residents would be required to submit an application to the Town; LIS staff would review and process the documents and issue the rebate;
- An MLEO may be deployed to the property to verify claims or address potential issues of infestation, but this would not be a requirement for the majority of rebate applications.

Given the inability to fund this program from the development industry, it would need to be funded within the Town's Operating Budget. Based on the experience of the City of St. Catharines (which is similarly sized to Ajax), it is estimated that the approximate annual cost such a program in Ajax would be \$25,000. This cost would be strictly for rebates; administration of the program could be absorbed within the various sections of LIS for a one-year pilot period, during which time the resource implications of administering the program could be better assessed.

Following the conclusion of the pilot period, staff would report back to Council on the program's uptake and efficacy. The best indicator of success would be a lower number of complaints related to rats (complaints of this nature are tracked by the Bylaw Services division, so comparison of

complaints pre and post implementation would be straightforward). Program uptake and actual costs would also be considerations in determining whether to continue it on a permanent basis.

**Financial Implications:**

There are no costs associated with approval of the recommendation contained in this report.

Should Council wish to implement a Rebate Program as outlined in the section above for Spring 2022, a cost of \$25,000 would be included in the 2022 Operating Budget submission. Should Council wish to pursue the program sooner (that is, later in 2021), funds have not been included in the 2021 Operating Budget and would be managed corporately through the Operating Budget Management Policy.

Pursuit of the program, either for later this year or for 2022, would require an amendment to the recommendation within this report.

**Communication Issues:**

Town staff will continue to promote information that will assist residents in addressing rat problems on their properties (i.e. tips on rodent proofing, etc.).

Should Council provide direction to implement a Rebate Program as outlined in this report, staff will prepare the necessary Communication pieces to enable resident access to the program.

**Relationship to the Strategic Plan:**

The measures outlined in this report support the following goal:

- Investing in our Community, Goal 6 - *Enhancing the beauty and appeal of the Town.*

**Conclusion:**

This report addresses Council's direction to staff from the January 25, 2021 Council meeting, and provides information that Council can consider in determining whether the Town should implement a Rat Control Rebate Program. Staff have also included a recommendation to bring forward a series of amending bylaws that would give the Town the ability to require a pest clearance certificate where a development proposal may have the potential to contribute to rat issues. This measure is proposed, as staff believe it will contribute to the mitigation of rat issues in Ajax, while not placing any additional financial or administrative burden on the Town or taxpayers.

**Attachments:**

ATT-1: January 25, 2021 Council Motion re: Rodent Control Rebate Program

Prepared by:

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Derek Hannan – Manager, Bylaw Services

Submitted by:

Nicole Cooper – Director, Legislative & Information Services/Clerk

Geoff Romanowski – Director, Planning and Development Services

Approved by:

Shane Baker – Chief Administrative Officer

**The Corporation of the Town of Ajax  
January 25, 2021**

**Motion**

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**Exploring a TOA Rodent Control Rebate Program**

**Moved by:** Councillor Bower  
**Seconded by:** Regional Councillor Crawford

**WHEREAS** The experience of increased rodent (specifically rats and mice) sightings is shared by residents and businesses in all growing municipalities across the Greater Toronto and Hamilton Area (GTHA) as rodents' habitats are reduced or disturbed by development;

**AND WHEREAS** Members of Ajax Council continue to receive calls and correspondence from residents concerned about rodent control, particularly in areas which are undergoing redevelopment, with a total of 31 formal complaints received (in addition to numerous informal complaints) in the past two years;

**AND WHEREAS** Rodent control falls under the Town's Property Standards By-law, which applies only if there is clear evidence of an infestation (the presence of an unusually large number of insects or animals in a place, typically so as to cause damage or disease), and nuisance issues are the sole financial responsibility of the home or business owner;

**AND WHEREAS** a number of Ontario municipalities have recently begun offering a rodent control rebate program (at least four municipalities have established such programs since 2018);

**AND WHEREAS** Ajax Council wants to support residents experiencing significant increased sightings and nuisance issues on their properties which appear to be as a result of development factors in their neighbourhoods;

**NOW THEREFORE BE IT RESOLVED THAT:**

1. Staff be directed to report back to Council or the appropriate Standing Committee with information to consider the development of a residential rodent control rebate program (or pilot program) in advance of the 2021 construction season, including information about:
  - Program administration, including bill-back to developers
  - Conditions to qualify for a rebate;
  - Monitoring requirements;
  - Evaluating the success of the rebate program;
  - Best practices among other municipalities; and
  - Potential financial impacts