

THE CITY OF TORONTO

Clerk's Department

Minutes of the Toronto Community Council

Meeting No. 7

Tuesday, June 8, 1999

The Toronto Community Council met on Tuesday, June 8, 1999, in the Council Chambers, City Hall, Toronto, commencing at 2:00 p.m.

7.1 Harmonized Environmental Tobacco Smoke (ETS) By-Law for the City Of Toronto

The Toronto Community Council considered a report (April 6, 1999) from the Secretary, Board of Health, advising that the Board of Health at its meeting on April 6, 1999:

- (1) adopted the report dated March 26, 1999, from the Medical Officer of Health with respect to the community input process for a harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto; and
- (2) forwarded such report to the Community Councils for staff presentation and deputations on the policy options and recommendations paper attached thereto, at the Community Council meetings scheduled to be held on May 26 and 27, 1999, with recommendations from the Community Councils to be referred to the Medical Officer of Health and the City Solicitor for consideration and recommendations back to the Board of Health at its meeting on June 28 and 29, 1999. A Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto: Community Input Process.

The Toronto Community Council also had before it the following report/communications:

- (May 6, 1999) from the Secretary, Board of Health respecting Ventilation Option for the Environmental Tobacco Smoke (ETS) By-law;
- (May 17, 1999) from Ms. Elizabeth and Mr. Ian White;
- (May 19, 1999) from Mr. Allan S. McPherson;
- (May 18, 1999) from Mr. Alan Warren;
- (May 25, 1999) from Mr. Jack Micay;

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- (May 25, 1999) from President, Council for a Tobacco-free Ontario;
- (May 19, 1999) from Mr. James Panousopoulos, Victoria Restaurant;
- (May 25, 1999) from Vice-President Food and Beverage, Bowlerama Limited;
- Petition with 107 signatures in opposition to total ban on smoking in coffee shops;
- Presentation - May 26, 1999 - Greater Toronto Hotel Association - Ontario Restaurant Association;
- (May 26, 1999) from Mr. Fred Luk, Filet of Sole;
- (May 26, 1999) from Mr. Michael Perley, Ontario Campaign for Action on Tobacco;
- (May 26, 1999) from Lobsang Samchok, Everest Café;
- (May 26, 1999) from Ms. Judith Myrvold, Council for a Tobacco-Free Toronto (CTFT);
- (Undated) from Ms. Debbie Thuston;
- (Undated) from Ms. Winnie Leung;
- (Undated) from Ms. Diane Finkle;
- (May 26, 1999) from Terry Mundell, President, Ontario Restaurant Association;
- (May 24, 1999) from Ms. Barbara West;
- (May 26, 1999) from R. Alter;
- (May 31, 1999) from Jean Walker;
- (undated) from Beth Theis; and
- (undated) from F. Barry.

On motion by Councillor Korwin-Kuczynski, the Toronto Community Council recommended to the Board of Health that:

- (1) restaurants, bars, bowling centres, casinos and bingo and billiard halls have 75% non-

smoking and 25% smoking;

- (2) the report (April 6, 1999) from the Medical Officer of Health, titled, A Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto - Policy Options and Recommendations be amended by:

- (a) adding a new Recommendation No. (7) to read:

“That the City make requests for proposals for a multi-year publicity and education campaign that:

- (a) reflects Council’s decisions on smoking in restaurants, bars and similar places, and

- (b) is aimed at reducing smoking;

and that such a campaign involve funding partnerships with the private sector.

- (b) adding a new Recommendation No. (8) to read:

“That the City, in co-operation with appropriate business associations, monitor carefully the economic impact of any smoking regulations on the restaurant sector;

- (3) the Medical Officer of Health, the Commissioner of Economic Development, Culture and Tourism, and the Commissioner of Urban Planning and Development Services report on the appropriate technology which will help to minimize second-hand smoke.

The Toronto Community Council also requested:

On motion by Councillor Korwin-Kuczynski:

- (1) the Medical Officer of Health, in consultation with appropriate officials to report to the Board of Health, at its special meeting to be held on June 28 and 29, 1999, on the following motion by Councillor Bossons:

“That the report (April 6, 1999) from the Medical Officer of Health, titled, A Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto - Policy Options and Recommendations be amended by:

Adding a new Recommendation 3(iv) to read:

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‘That restaurants with 40 or fewer seats be exempted from any smoking regulation on condition that they decide themselves whether to be a ‘wholly smoking’ or ‘smoke-free’ and post the chosen arrangement at their door.’”

On motion by Councillor Miller:

- (2) the Medical Officer of Health, in consultation with the Commissioner of Economic Development, Culture and Tourism and the City Solicitor, and in consultation with stakeholders, to report to the Board of Health, at its special meeting to be held on June 28 and 29, 1999, on the possibility of creating separate rules for restaurants and bars; and
- (3) the Medical Officer of Health to report to the Board of Health, at its special meeting to be held on June 28 and 29, 1999, on the New York by-law, and in her opinion, how it can be altered to make it applicable to the City of Toronto.

Recommendation Nos. 1 and 3 were adopted on the following division of votes:

Yeas: Councillors Rae, Bossons, Fotinos, Johnston, Korwin-Kuczynski and Silva - 6

Nays: Councillors Miller and Walker - 2

The following motion, placed by Councillor Johnston, lost on the following division of votes:

“As a 100% ban on smoking in Toronto’s restaurants has an obvious economic impact; and

Because suburban councillors have not heard the concerns of downtown restaurants and the hospitality industry;

The Toronto Community Council recommends that:

- (1) a joint or concurrent meeting be held on June 28 and 29, 1999 between the Board of Health and the Economic Development Committee to hear deputations before a final recommendation is made to City Council; and
- (2) the City Clerk be requested to submit proposed rules of order for the joint meeting.”

Yeas: Councillors Bossons, Johnston and Miller - 3

Nays: Councillors Rae, Disero, Fotinos, Korwin-Kuczynski, Silva and Walker – 6

(Report No. 9, Clause No. 49(p))

The following motion by Councillor Walker was placed but not voted on:

- “(1) That Recommendation Nos. (1), 2(i) and 3(i) of the report (March 26, 1999) from the Medical Officer of Health, addressed to the Board of Health, be adopted;
- (2) That Recommendation No. (1) of the report (March 26, 1999) from the Medical Officer of Health, addressed to the Board of Health, be amended to read:
- ‘(1) That workplaces in the City of Toronto be smoke-free and existing separately ventilated Designated Smoking Rooms be permitted to remain.’
- (3) That existing Designated Smoking Rooms in public places be permitted to remain; and
- (4) That a public education campaign be undertaken to publicize the City’s position in this regard.”

(Board of Health; c.: Medical Officer of Health; Commissioner of Economic Development, Culture and Tourism; City Solicitor – Encl. – June 11, 1999)

The Committee adjourned its meeting at 2:35 p.m.

Chair.

Attendance:

June 8, 1999	2:00 p.m. - 2:35 p.m.	Quorum Call 2:35 p.m. -
Rae (Chair)	x	x
Adams		
Bossos	x	x

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Bussin		
Chow		
Disero	x	x
Fotinos	x	x
Jakobek		
Johnston	x	x
Korwin- Kuczynski	x	x
Layton		
McConnell		
Miller	x	x
Pantalone		
Silva	x	x
Walker	x	x
Mayor Lastman	-	-

* Members were present for some or all of the time indicated.