

Appendix A Smoke-Free Legislation in Toronto

Key legislation related to smoke-free spaces in Toronto.¹

Year	Legislation
1979	Former City of Toronto passes a No Smoking By-law banning smoking in retail stores, elevators, escalators and service line-ups.
1985	Federal <i>Non-smokers Health Act</i> is passed, prohibiting smoking in all federal buildings and workplaces, including banks.
1986-1994	Former Toronto municipalities pass or strengthen public place and workplace smoking control by-laws. The former City of Toronto Workplace Smoking By-law (1993) requires every employer to adopt a written workplace smoking policy that satisfies all non-smoking employees.
1990	Ontario <i>Smoking in the Workplace Act</i> is passed with less restrictive provisions than Toronto's by-law.
1994	Province of Ontario passes the <i>Tobacco Control Act</i> that regulates the selling and supplying of tobacco, restricts where smoking is allowed and not allowed and sets fines for infractions.
1995-1996	Most pre-amalgamation Toronto municipal by-laws allow no more than 25% smoking area in restaurants. Smoking banned in most public places except bingo halls, bowling establishments, bars, casinos, and billiard establishments. Motions passed by GTA Mayors to advocate for a province-wide environmental tobacco smoke (ETS) by-law to provide a level playing field for business operators.
1997	New Provincial Mandatory Health Programs and Services Guidelines include an objective for local health units to increase the proportion of smoke-free public places and workplaces to 100% by 2005. Former North York City Council and former Toronto City Council pass 100% smoke-free by-laws. These are rescinded shortly after enactment.
1998	Six former municipalities amalgamate to become City of Toronto.
1999	Toronto City Council passes harmonized No Smoking By-law No. 441-1999 (renamed in 2000 to Municipal Code, Chapter 709 – Smoking) requiring all public places and workplaces to be smoke-free, with exceptions by classes of establishments. By-law to be implemented in three phases: October 8, 1999, June 1, 2001 and June 1 2004. By-law exempts workplaces that are also private clubs.
2001	Phase Two Municipal Code, Chapter 709: June 1, 2001. All restaurants, dinner theatres and bowling centres must be smoke-free, except in a designated smoking room (DSR) no larger than 25% of public space (bingo halls allowed DSR no larger than 50%).
2003	In April Toronto Council passed By-law No. 344-2003 to amend Toronto's No Smoking By-law and address concerns expressed by the Medical Officer of Health about designated smoking rooms (DSRs). The amendment prohibits the entrance of persons under 19 to a DSR, requires self-closing doors and removes all food preparation and liquor dispensing from all new DSRs. In May the Toronto Board of Health sent a letter to the Premier urging the provincial government to require closure of all Designated Smoking Rooms with the enactment of

	province-wide no smoking legislation.
2004	Phase Three Municipal Code, Chapter 709: June 1, 2004. All bars, billiard halls, bingo halls, casinos and the racetrack must be smoke-free, or provide an approved DSR no larger than 25% of public space (bingo halls allowed DSR no larger than 50%). In December the Ontario Ministry of Health and Long Term Care introduced Bill 164 to prohibit smoking in all workplaces and enclosed public places in the province.
2006	The Smoke-Free Ontario Act comes into effect on May 31, prohibiting smoking in enclosed workplaces and public places. The Smoke-Free Ontario Act replaces the Tobacco Control Act and the Smoking in the Workplace Act. Private clubs go smoke-free under workplace provisions. Designated Smoking Rooms can no longer be used for smoking. Ashtrays and Health Warning Signs must be removed. Outdoor smoking is only prohibited on covered patios, on school property and near health care entrances. Outdoor smoking is still permitted on uncovered patios and near building entranceways.
2009	City Council amends the Municipal Code, Chapter 608, Parks, to prohibit smoking within a nine metre radius of Toronto playgrounds, wading pools, splash pads and in any area of zoos or farms operated by Parks, Forestry and Recreation. Outdoor smoking is still permitted in other areas of City parks such as sports fields.

¹ Toronto Public Health. (2006). *History of Smoke-Free Legislation in Toronto*. Toronto: Ontario. Available at:
http://www.toronto.ca/health/smokefree/pdf/backgrounder_smokefree_history.pdf.