

THE REGIONAL MUNICIPALITY OF YORK

**REPORT NO. 2
OF THE REGIONAL
COMMISSIONER OF CORPORATE & LEGAL SERVICES**

**For Consideration by
The Council of The Regional Municipality of York
On November 8, 2001**

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REGIONAL BY-LAW

1. RECOMMENDATION

It is recommended that in order to carry out the intention of its resolution on October 25, 2001, Regional Council adopt the by-law appended to this report to permit bingo halls to have Designated Smoking Rooms that occupy up to 50% of their occupiable public space.

2. PURPOSE

At its meeting of October 25, 2001, Regional Council passed the following resolution:

“Item 1 of Clause 5 be received and the York Region No Smoking By-law be amended to change the square footage allowed for designated smoking areas in bingo halls from 25% to 50% of the occupiable public space.”

3. BACKGROUND

Currently the York Region By-law, regulating smoking of tobacco in public places and workplaces within York Region, restricts smoking areas in bingo halls to 25% of the occupiable public space of such facilities.

The City of Toronto No-Smoking By-law also restricts unenclosed smoking areas in bingo halls to 25% of their occupiable public space. However, it permits an increase in the smoking area to 50% of the occupiable public space of a bingo hall if such area is within a Designated Smoking Room. As with the York Region By-law, Designated Smoking Rooms

must be fully enclosed, separately ventilated and must not be required for any public thoroughfare.

In further contrast, No-Smoking By-Laws of area municipalities in the Region of Peel, including the City of Mississauga, the City of Brampton and the Town of Caledon, permit bingo halls to have smoking areas of up to 50% of their occupiable public space regardless of whether or not it is enclosed or unenclosed.

In all cases, unenclosed smoking areas will no longer be permitted after June 1, 2004. After that date, bingo halls in the City of Toronto and the Region of Peel will be permitted to have smoking areas of up to 50% of their occupiable public space only within Designated Smoking Rooms.

4. ANALYSIS AND OPTIONS

The by-law attached to this report parallels the City of Toronto No-Smoking By-law, which permits bingo halls to have Designated Smoking Rooms that occupy up to 50% of their occupiable public space. Where no Designated Smoking Room has been constructed, the unenclosed smoking areas in bingo halls would be limited to 25% of their occupiable public space, the same standard applicable to bars and billiard halls.

After June 1, 2004, unenclosed smoking areas will no longer be permitted. After this date, bingo halls will be permitted to have smoking areas of up to 50% of their occupiable public space only within Designated Smoking Rooms.

5. FINANCIAL IMPLICATIONS

Health Services Department staff will need to develop and implement a region-wide education campaign to address the amendment to the York Region By-law to permit bingo halls to have Designated Smoking Rooms that occupy 50% of their occupiable public space. All costs associated with this amendment to the York Region By-Law will be covered in the 2001 budget of the Health Services Department.

6. LOCAL MUNICIPAL IMPACT

In the event Regional Council adopts the attached by-law, in order to carry out its resolution of October 25, 2001, bingo halls operating in the area municipalities will be permitted to have Designated Smoking Rooms that occupy up to 50% of their occupiable space as opposed to 25% of their occupiable space.

7. CONCLUSION

It is recommended that Regional Council adopt the attached by-law in order to carry out the intention evidenced by its resolution of October 25, 2001.

This report has been reviewed by the Senior Management Group.

(A copy of the attachments referred to in the foregoing is included with this report and is also on file in the Office of the Regional Clerk.)

Respectfully submitted,

**November 6, 2001
Newmarket, Ontario**

**Phyllis Carlyle
Commissioner of
Corporate & Legal Services**

(Report No. 2 of the Commissioner of Corporate and Legal Services was received, without amendment, by Regional Council at its meeting on November 8, 2001. Please note that the By-law referenced in this Report was not adopted by Council and reference may be made to Minute No. 239 in this regard.)