

**Ministry of
Health Promotion**

Office of the Minister

777 Bay Street, 18th Floor

Toronto ON M7A 1S5

Tel.: 416 326-8500

Fax: 416 326-8520

TTY: 416 212-5723

TTY Toll Free: 1 866 263-1410

www.mhp.gov.on.ca

**Ministère de la
Promotion de la santé**

Bureau de la ministre

777, rue Bay, 18^e étage

Toronto ON M7A 1S5

Tél. : 416 326-8500

Télec. : 416 326-8520

ATS : 416 212-5723

ATS sans frais : 1 866 263-1410

www.mhp.gov.on.ca

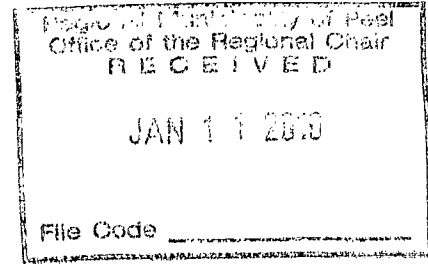
HE-A5-1



MHP3034MC-2009-1543

JAN 06 2010

Mr. Emil Kolb
Regional Chair and Chief Executive Officer
Regional Municipality of Peel
10 Peel Centre Drive
Brampton ON L6T 4B9



Dear Mr. Kolb:

Thank you for your correspondence regarding second-hand smoke in multi-unit dwellings (Resolution No. 2009-1150). I appreciate the opportunity to respond to council's views on this matter.

As you know, the *Smoke-Free Ontario Act* (SFOA) prohibits smoking in enclosed workplaces and enclosed public places in order to protect workers and the public from the hazards of second-hand smoke. The Smoke-Free Ontario Strategy is the most comprehensive tobacco-control strategy Ontario has ever had, and it is among the toughest and most far-reaching in North America.

With respect to multi-unit residential dwellings, the SFOA prohibits smoking in the common areas of condominiums or apartment buildings, including elevators, stairwells, hallways, parking garages, laundry facilities, lobbies, exercise areas and party or entertainment rooms. The legislation does not extend the prohibition into people's private homes or apartment units. The Act aims to strike a balance between the need to protect the health of Ontarians and the need to respect their personal freedoms.

While there are no plans to change the legislation at this time, the SFOA does provide flexibility for municipalities to adopt local by-laws that go beyond the requirements of the Act.

In order to assist landlords, tenants and other residents, please note that the Ministry of Health Promotion provided funding to the Smoking and Health Action Foundation to create a website (www.smokefreehousingon.ca/sfho/overview.html) which provides information respecting options for smoke-free living in multi-unit dwellings.

.../2

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	✓ ✓ Committee
CAO	✓ ✓
Corporate Services	Council
Public Works	
Employee and Business Services	Feb 4, 2010 G.C.
Health Services	✓ ✓ File
Human Services	
Peel Living	

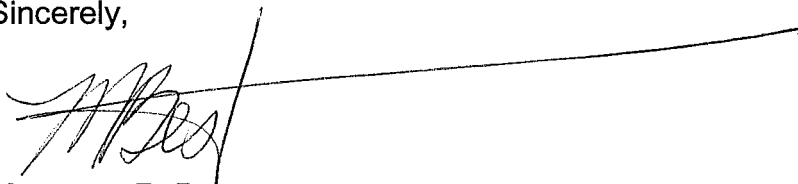
REFERRAL TO
RECOMMENDED
DIRECTION REQUIRED
RECEIPT RECOMMENDED ✓

HE - A5 -2-

Under the *Residential Tenancies Act, 2006* (RTA), a tenant who lives in a residence covered under the Act can apply to the Landlord and Tenant Board for a remedy if he or she believes that their landlord's action or inaction is interfering with the tenants' reasonable enjoyment of their unit. As the Ministry of Municipal Affairs and Housing administers the RTA, I have forwarded a copy of your letter to the Minister, the Honourable Jim Watson, for his review and consideration.

Thank you again for sharing council's views with me.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Best', is written over a long horizontal line that extends across the page.

Margarett R. Best
Minister

c: Dr. David Mowat, Medical Officer of Health, Peel Public Health
Hon. Jim Watson, Minister of Municipal Affairs and Housing



HE-A5-3

Office of the Chair

November 12, 2009

Resolution No. 2009-1150

The Honourable Margaret Best
Minister of Health Promotion
777 Bay Street, 18th Floor
Toronto, ON M7A 1S5

Dear Minister Best:

Subject: Second-Hand Smoke in Multi-Unit Dwellings

I am writing to advise that Regional Council approved the following resolution at its meeting held on October 29, 2009:

That the Minister of Health Promotion and the Minister of Health and Long-Term Care be requested to amend or enact provincial legislation and/or regulations, including but not limited to, the Residential Tenancies Act and Building Code, to protect residents in multi-unit dwellings and semi-detached dwellings, from exposure to second-hand tobacco smoke;

And further, that the Medical Officer of Health be directed to develop educational resources including a website, to provide information regarding second-hand smoke to landlords and residents of multi-unit and semi-detached dwellings.

While Ontarians are protected through the *Smoke Free Ontario Act (SFOA)* from second-hand smoke at work and in enclosed public places, people living in multi-unit dwellings are not currently protected from second-hand smoke entering their living space from adjacent units.

To date this year, Peel Public Health has received over 35 complaints from tenants of multi-unit dwellings about the potential adverse health effects and nuisance of second-hand tobacco smoke drifting into their living space. Tobacco smoke can seep from various openings in a multi-unit dwelling. Some units may also share ventilation or heating systems which can spread tobacco smoke throughout a building.

As you know, second-hand smoke is a Class A carcinogen linked to cancer and an increased risk of heart disease and respiratory illness. There is no known safe level of exposure to second-hand smoke. Children and people who suffer from pre-existing health conditions like emphysema or heart disease are particularly vulnerable to the effects of second-hand smoke. Second-hand smoke has twice as much nicotine and tar as direct tobacco smoke and five times more carbon monoxide.

HE-A5-4

2.

Resolution No. 2009-1150

On behalf of Regional Council, I request that you give consideration to the above resolution. I look forward to your reply. Please quote the Region of Peel's reference number in your reply.

Sincerely,



Emil Kolb
Regional Chair and Chief Executive Officer

EK:tr

c: Janette Smith, Commissioner of Health Services
Dr. David Mowat, Medical Officer of Health

Also sent to:

The Honourable Deb Matthews
Minister of Health and Long Term Care
10th Floor, Hepburn Block
80 Grosvenor Street
Toronto, Ontario
M7A 2C4