

Parks and Recreation Ontario Submission on 18-HLTC007

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Parks and Recreation Ontario (PRO) is pleased to provide comment on the Smoke-Free Ontario Act, 2017 regulatory posting 18-HLTC007. PRO has more than 6,200 members, providing vital services to 83% of Ontarians. PRO has actively promoted smoke-free sport and recreation through initiatives like Play-Live-Be Tobacco Free. PRO's members are committed to providing the healthiest environments where our children play and where all citizens participate in active recreation.

The proposed regulation pertaining to smoking restrictions around recreational spaces builds on the existing Smoke-Free Ontario and PRO supports the general intention of the proposal. However there are specific issues related to the terminology and the practicality of implementation of the proposed regulation for municipalities.

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PRO is providing comment on 18-HLTC007 for those sections of the regulation related directly to recreation.

- 1) **Children’s playgrounds** and public areas within 20 metres of playgrounds and **Sporting areas** owned by the Province, a municipality or post-secondary campus (excluding golf courses), adjacent spectator areas, and public areas

PRO supports the continued inclusion of children’s playgrounds and sporting areas in the updated regulation.

PRO recommends that the definitions and examples in the current regulation relating to these two types of amenities should be maintained in the new regulation. They provide a flexible framework under which municipalities can create bylaws that reflect their facilities and parks. Many municipalities have added additional definitions to their bylaws to provide clarity for residents, which the current regulatory framework permits.

- 2) Public areas within 20 metres from the perimeter of the grounds of a school or a **youth and/or children’s recreation centre** during the **designated hours that children and youth are allowed to use the facility**

PRO applauds the government for seeking ways to further protect children and youth from exposure to second-hand smoke.

However, PRO strongly recommends that government reconsider this particular part of the regulation. Government should undertake a short consultation with municipalities to assess the best way to protect our children and make all of our recreational facilities healthier places for people to be active. A simpler, more easily implemented solution that reflects current terminology and practice should be sought.

Rationale:

Municipalities and other recreation facility owners do not traditionally use the term “children’s recreation centre”, nor are there typically designated times when children and youth use recreation facilities. Youth centre is a commonly-used term, but is also not consistent across all communities.

There is no common definition for a recreation centre in Ontario. They come in many shapes and forms, from small community halls with one gym and a few meeting rooms to large, multi-purpose facilities. Multi-purpose recreation facilities may contain a number of different amenities such as libraries, pools, arenas, offices, retail space, gymnasias, meeting rooms, studios, art galleries, etc.

Recreation centres are also used in a variety of ways in order to respond to community need. There may be a wide range of programs for all ages, rental of space to community groups, public exhibitions and more, all happening concurrently. Programming in recreation centres also varies greatly by season. For example, there are a higher number of daytime children's programs during school holidays. On weekdays during school, programs for children and youth take place during the afterschool time period and during the evening. But on weekends, the programming shifts to the mornings.

Youth centres and other smaller recreation facilities pose a particular challenge, as many are not standalone buildings. They may be housed within a larger municipal or non-municipal facility (co-located with other types of businesses) or situated in a commercial area (strip mall, series of storefronts) with adjoining businesses that would have different obligations under the SFOA.

Overall, this kind of regulation would be confusing for facility owners and for the public. It could potentially lead to different facilities in the same neighbourhood having different "designated times." It would be challenging to enforce for the reasons stated above.

It should be noted that many municipalities already include recreation facilities – and all municipally-owned facilities – in their smoking bylaws. Sometimes, smoking is not permitted on the "grounds" of the facility and/or within 9 metres of all entrances and exits. Expanding this radius to 20 metres could be an option, but should be explored with municipalities prior to implementation.

Protecting children and youth from second-hand smoke should be a priority but the government needs to ensure that the regulation does not have unintended consequences that make it impossible for municipalities to adopt.

Conclusion

Parks and Recreation Ontario fully supports the government's efforts to make the places where Ontarians work and play healthier by updating the Smoke Free Ontario regulations. PRO would be pleased to support the government in further consultation to ensure that the new regulations achieve the intended outcome.