



# Ottawa Board of Health Conseil de santé d'Ottawa

## MINUTES 10 / PROCÈS-VERBAL 10

**Monday, February 6, 2012, 5 p.m.  
le lundi 6 février 2012, 17 h**

**Champlain Room, 110 Laurier Avenue West  
Salle Champlain, 110, avenue Laurier Ouest  
Contact for the Ottawa Board of Health**

**Personne-ressource pour le Conseil de santé d'Ottawa :  
John Steinbachs, 613-580-2424, ext./poste 15083  
[John.Steinbachs@ottawa.ca](mailto:John.Steinbachs@ottawa.ca)**

### **Board Members/Membres du Conseil :**

**Councillor/conseillère D. Holmes (Chair/présidente), Dr./D<sup>r</sup> A. Kapur  
(Vice-Chair/vice-président), Councillor/conseiller D. Chernushenko,  
Councillor/conseiller M. Fleury, Dr./D<sup>re</sup> M. Fullerton, Councillor/conseillère  
J. Harder, Councillor/conseillère K. Hobbs, T. Hutchinson, M. Keeley,  
Councillor/conseillère M. McRae, G. Richer**

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ressource pour le Conseil.*

**The Ottawa Board of Health met in the Champlain Room, 110 Laurier Avenue West, Ottawa, on February 6, 2012 beginning at 5:00 p.m.**

**The Chair, Diane Holmes, presided over the meeting.**

1. ROLL CALL  
APPEL NOMINAL

**All Members were present with the exception of Member Richer.**

2. DECLARATIONS OF INTEREST (INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS)  
DÉCLARATIONS D'INTÉRÊT (Y COMPRIS CEUX DÉCOULANT DE RÉUNIONS ANTÉRIEURES)

**No declarations were received.**

3. REGRETS  
ABSENCES

**Member Richer advised that she would be absent from the Board meeting of February 6, 2012.**

4. CONFIRMATION OF MINUTES  
ADOPTION DU PROCÈS-VERBAL

**The Minutes of the meeting of January 16, 2012 were confirmed.**

5. COMMUNICATIONS  
COMMUNICATIONS

6. MOTION TO INTRODUCE REPORTS  
MOTION PORTANT PRÉSENTATION DE RAPPORT

**MOTION NO. 10/1**

Moved by Member Kapur

**That the Let's Clear the Air: A Renewed Strategy for a Smoke-Free Ottawa report be received and considered.**

CARRIED

- A. LET'S CLEAR THE AIR: A RENEWED STRATEGY FOR A SMOKE-FREE OTTAWA  
PURIFIONS L'AIR : UNE STRATÉGIE RENOUVELÉE POUR UN OTTAWA SANS FUMÉE  
ACS2012-OPH-HPDP-0002

1. That the Board of Health for the City of Ottawa Health Unit approve the following:
  - a) The Ottawa Public Health's three-year Renewed Strategy for a Smoke-Free Ottawa, as detailed in this report;
  - b) That staff report to the Board of Health in 2013 on the progress on all elements of the Renewed Strategy for a Smoke-Free Ottawa;
  - c) That the Chair of the Board of Health write letters recommending the following action on water-pipes:
    - i. That the Federal Minister of Health consider clarifying or amending the Tobacco Act and regulations to explicitly include tobacco water-pipe products;
    - ii. That the Ontario Minister of Health and Long-term Care consider amendments to the Smoke-Free Ontario Act (SFOA) and its regulations to:
      1. broaden the scope of the legislation to include the smoking of other weeds or substances such that the smoking of water-pipe products would be included; and
      2. provide Tobacco Enforcement Officers with the authority to search, seize and test product when conducting an inspection;
    - iii. And that the Mayor of Ottawa be provided the opportunity to co-sign these letters;
  - d) That the Chair of the Board of Health write a letter to the Minister of Health and Long-Term Care recommending that access to nicotine replacement therapy (NRT) be further expanded for tobacco users of community cessation providers including hospital out-patients clinics, university and college health services and public health units;
2. That the Board of Health recommend that the Community and Protective Services Committee recommend that Council approve the amendments to its By-laws to provide for more smoke-free spaces as follows:
  - a) The *Parks and Facilities By-law* (By-law No. 2004-276) to prohibit smoking on all municipal properties such as parks, beaches, sports fields and outdoor areas around City facilities, as detailed in Document 5;
  - b) The *Parkdale Market By-law* (By-law No. 2008-448) and *ByWard Market Program By-law* (By-law No. 2008-449) to require the holder of a stand permit to ensure smoking is not permitted in the stand, as detailed in Document 6;
  - c) With respect to patios:
    - i. The *Public Places By-law* (By-law No. 2001-148) to prohibit smoking on an outdoor patio located on private property, as detailed in Document 7;
    - ii. The *Encroachment By-law* (By-law No. 2003-446) to require the holder of an encroachment permit for a patio located in the right-of-way to ensure that smoking is not permitted on the patio, as detailed in Document 8.
3. That the Transmittal Report to Community and Protective Services Committee and Council consist of Recommendation 2 as approved and the sections of this report related to Recommendation 2, and that the Board of Health approved Recommendation 1 and any related amendments as well as the sections of the report related to Recommendation 1 be provided to the City of Ottawa's Community and Protective Services Committee and City Council in an appendix to the Transmittal Report as supplementary information.

The Board heard from the following public delegation in opposition of the recommendations:  
Charles Shrubsole

The Board heard from the following delegations in support of the recommendations:

Claude Lurette

Dr. Roberta Ferrence, PhD, Ontario Tobacco Research Unit, University of Toronto

Dr. Ryan David Kennedy, PhD, Center for Global Tobacco Control (Harvard School of Public Health) and Propel Centre for Population Health (University of Waterloo)

Sheila Perry, Parks and Recreation Advisory Committee, City of Ottawa

Rob Cunningham, Canadian Cancer Society (National)

Catherine Caule

Pippa Beck, Non-Smokers' Rights Association

Melodie Tilson, Non-Smokers' Rights Association

Richard Hayter, The Building and Construction Trade Council

Michael Histed, University of Ottawa

Manuel Arango, Heart and Stroke Foundation

Dr. David Esdaile, M.D.

Suzanne Friedlaender, Ottawa Council on Smoking and Health

Carmela Graziani, Ottawa Council on Smoking and Health

Ellen Holmes, Ottawa Council on Smoking and Health

Dr. Kenneth C. Johnson, PhD, University of Ottawa

Susan J. Smith

Kate Lalumiere

Neil Collishaw, Physicians for a Smoke-Free Canada

Madelyn Morgan

Janice Forsythe, Ottawa Council on Smoking and Health

Dr. Andrew Pipe, Champlain Cardiovascular Disease Prevention Network, University of Ottawa Heart Institute

The Board received the following written submissions, copies of which are held on file with the Board Secretary:

Toni Najem, Firkin and Knight Restaurant, 1460 Merivale Road, Comments Form

Dr. Richard Stanwick, Vancouver Island Health Authority, Powerpoint Presentation

CARRIED, as amended by the following motions:

**MOTION NO. 10/2**

Moved by Member McRae

**That recommendation 1c (i) be amended to add the following:**

- **And that all Ottawa area Members of Parliament (MPs) be included in this correspondence.**

**That recommendation 1c (ii) be amended to add the following:**

- **And that all Ottawa area Members of Provincial Parliament (MPPs) be included in this correspondence.**

**That recommendation 1c be amended to add the following:**

- **That the Chair of the Board of Health write follow-up letters to all Ottawa area MPs and Ottawa area MPPs requesting their support for the aforementioned action on water-pipes and include a request for a written statement from these MPs and MPPs in this regard.**

CARRIED

**MOTION NO. 10/3**

Moved by Member Kapur

**That recommendation 1b be amended to add the following:**

**That staff report to the Board of Health by the end of Q2 2013 on the progress on all elements of the Renewed Strategy for a Smoke-Free Ottawa specifically including:**

- **Actions taken to implement the Strategy;**
- **An update on progress made to increase smoke-free spaces in other areas as identified in the Strategy as well as options, including further regulation, to further increase smoke-free spaces in those areas and specifically options for expanding smoke-free spaces in Ottawa to include entrances and doorways to public places, workplaces, and multi-unit dwellings and;**
- **A report on actions taken by other municipalities and lessons learned from their experiences.**

CARRIED

**MOTION NO. 10/4**

Moved by Member Kapur

**That the following recommendation be added:**

- 4. That the Board of Health recommend that the Community and Protective Services Committee recommend that Council:**
  - a) Direct staff to work with the Real Estate Partnerships and Development Office to ensure new leases for property leased to third parties are smoke-free similar to other municipal properties and work to include provisions in lease renewals and extensions that such properties become smoke-free and report back by the end of Q2 of 2013; and**
  - b) Recommend to any Local Board that it bring property under its management in compliance with the bylaw.**

CARRIED

**MOTION NO. 10/5**

Moved by Member Kapur

**That 1(c) ii be amended by adding the following:**

**3. To clarify or amend the Act such that a by-law regarding smoking will apply on sidewalks and that the words "and the Municipal Act" be added to Recommendation 1 (c) (ii) after the word "regulations."**

CARRIED

**MOTION NO. 10/6**

Moved by Member Kapur

**That the Board of Health approve that the meeting time be extended past 8:00 p.m. pursuant to Section 8 sub-section (1)(c) of By-law 2011-1.**

CARRIED

7. MOTION TO ADOPT REPORTS  
MOTION PORTANT ADOPTION DE RAPPORTS

**MOTION NO. 10/7**

Moved by Member Kapur

**That the Let's Clear the Air: A Renewed Strategy for a Smoke-Free Ottawa report be received and adopted.**

CARRIED

8. NOTICES OF MOTION (FOR CONSIDERATION AT SUBSEQUENT MEETING)  
AVIS DE MOTION (POUR EXAMEN LORS D'UNE RÉUNION SUBSÉQUENTE)
9. CONFIRMATION BY-LAW  
RÈGLEMENT DE RATIFICATION

**MOTION NO. 10/8**

Moved by Member Kapur

**That by-law no. 2012-2 be read and passed:**

**A by-law of the Board of Health for the City of Ottawa Health Unit to confirm the proceedings of the Ottawa Board of Health at its special meeting of February 6, 2012.**

CARRIED

10. INFORMATION PREVIOUSLY DISTRIBUTED  
INFORMATION DISTRIBUÉE AUPARAVANT

**No information was previously distributed.**

11. OTHER BUSINESS  
AUTRES QUESTIONS

**There was no other business.**

12. INQUIRIES  
DEMANDES DE RENSEIGNEMENTS

**No inquiries were received.**

13. ADJOURNMENT  
LEVÉE DE LA SÉANCE

**The Board adjourned the meeting at 8:25 p.m.**

NEXT MEETING  
PROCHAINE RÉUNION

**Regular Meeting**  
**Monday, May 7, 2012 – 6:00 p.m. – Champlain Room**

**Réunion ordinaire**  
**Le lundi 7 mai 2012 – 18 h – Salle Champlain**

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**BOARD SECRETARY**

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**BOARD CHAIR**