

Smoking ban becoming political juggling act

BY LISA QUEEN
Staff Writer

Trying to please all sides in her crusade to ban smoking in York Region's public places, Vaughan Councillor Joyce Frustaglio seems in danger of alienating all the players.

York's no-smoking task force, chaired by Frustaglio, is wavering between adopting a regional bylaw or allowing municipalities to pass their own policies as long as they are all similar.

However, while the committee would want to review local amendments to a uniform model, in reality the region has no jurisdiction over bylaws approved by local councils.

Putting aside those who oppose the ban, even advocates for the policy are split.

On one side are those who want a regional bylaw, or at least a set of nine identical municipal bylaws that amount to a regional bylaw.

On the other side are opponents to regional government controlling the bylaw.

That opposition led to a proposal to have nine identical bylaws controlled by local councils.

But support for the ban wavers from one municipality to another.

For example, Vaughan has already adopted a bylaw banning smoking in all public places.

Richmond Hill councillors are more inclined to let the market decide.

In an effort to bolster support for the ban, Frustaglio came up with a new plan three weeks ago.

She proposed having a bylaw controlled by regional council, but allowing local amendments from each municipality as long as they buy into the general theme of prohibiting smoking in public places.

But Steve O'Melia, director of litigation, told the task force yesterday the region has no authority to adopt a bylaw unless at least five municipalities approve.

The merry-go-round prompted another debate about the committee's direction and mandate.

Markham Councillor Ralph Aselin said support in his town for a smoking ban could crumble if the region gets involved.

"This is very dangerous," he said.

"Could that (a regional bylaw) mean the bylaw could be forced on Markham and

Richmond Hill?"

Richmond Hill Councillor Janet Mabley approves of local amendments, but then questioned the need for the task force.

"That's fine with me, but it sort of defeats the purpose of the whole committee," she said.

Whitchurch-Stouffville Councillor Sue Sherban argued the entire point of having a region-wide ban was to ensure a level playing field for business owners.

"You've lost the theory of it being an equal playing field. I thought it was supposed to be a regional bylaw," she said.

"I'm just wondering where the focus went because I've just wasted two years coming here. In my opinion, we're getting totally off-track."

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