

HOUSING YORK SMOKE-FREE POLICY FREQUENTLY ASKED QUESTIONS

WHEN DID THE SMOKE-FREE POLICY COME INTO EFFECT?

The Smoke-Free Policy became effective November 1, 2014 for all Housing York buildings.

DOES THIS MEAN THAT THERE IS NO SMOKING ON HOUSING YORK PROPERTIES?

No, smoking will be phased out gradually with the turnover of leases. It will take several years for buildings to become smoke-free.

HOW DOES THE SMOKE-FREE POLICY APPLY TO RESIDENTS?

	Existing residents prior to November 1, 2014	New residents after November 1, 2014
Apartment Units (includes balconies)	Can continue to smoke	No smoking permitted
Townhouse Units (includes front yards and backyards)	Can continue to smoke	No smoking permitted
Interior common spaces	No smoking permitted	No smoking permitted
Outdoor Common Spaces	No smoking permitted within 5 metres (16 feet) of windows, doors and vents	No smoking permitted within 5 metres (16 feet) of windows, doors and vents
Playgrounds	No smoking permitted	No smoking permitted

**Exemptions to the policy include e-cigarettes (that do not contain tobacco), medical marijuana and ceremonial use of tobacco by Aboriginal persons.*

WHY DOES HOUSING YORK HAVE A SMOKE-FREE POLICY?

A survey of Housing York residents showed that nearly 80 per cent of respondents want to live in a smoke-free building.

Also, a smoke-free policy has many benefits, including:

- Improved health of residents by reducing exposure to secondhand smoke
- Reduced risk of fire in units and building
- Cleaner and easier to maintain living spaces

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WILL HOUSING YORK EVICT RESIDENTS FOR NON-COMPLIANCE?

Eviction for non-compliance is a possibility – however, staff and social workers will first work with residents to assist them in understanding and complying with the no smoking policy.

DOES THIS POLICY VIOLATE A RESIDENT’S RIGHT TO SMOKE AND PERSONAL CHOICE?

Canadian law does not support a right to smoke. The policy on Human Rights and Rental Housing 2009 states, “given the inherent risks associated with smoking, a housing provider may have little or no obligation to accommodate a resident’s need to smoke when to do so would amount to undue hardship, for example, by negatively affecting the health and safety of other residents.”

WILL EXISTING RESIDENTS WHO SMOKE AND ARE APPROVED FOR A TRANSFER BE PERMITTED TO SMOKE IN THEIR NEW UNIT?

If a resident who smokes must be transferred due to legislative rules, the resident will be permitted to smoke in their new unit.

All residents who are transferred to a unit must sign a smoke-free clause to move to the new unit.

CAN A RESIDENT CHOOSE TO DESIGNATE THEIR UNIT AS NON-SMOKING?

Yes, a resident who moved into a Housing York building before the Smoke-Free Policy came into effect can update their lease and designate their unit as non-smoking. Please contact the Tenant Services Coordinator for your building by calling 1-877-464-9675.

HOW WAS THE FIVE METRE DISTANCE FROM BUILDINGS DETERMINED?

A variety of distances were reviewed for each site. The five metre (16 feet) distance was selected because it respects the health of those who do not smoke while also respecting the choice of those who want to smoke.

Five metres provides the opportunity to smoke somewhere on each property without affecting neighbouring properties or sending someone off the property to smoke. Research indicates that health benefits can be achieved by the five metre distance.

CAN RESIDENTS SMOKE IN THEIR CARS?

If the vehicle is parked in a location five metres (16 feet) away from any window, door, balcony or vent, residents can smoke in their cars. In the Province of Ontario, legislation restricts a driver or a passenger of a vehicle from smoking when someone under the age of 16 is present.

ARE RESIDENTS EXPECTED TO QUIT SMOKING?

The policy does not prohibit renting a unit to a smoker nor does it require residents to quit smoking.

If you smoke and want to quit, there are supports available that can help. For more information visit: york.ca/tobacco , smokershelpline.ca or call Access York at 1-877-464-9675, TTY 1-866-512-6228.

WITH THE LEGALIZATION OF RECREATIONAL CANNABIS, WILL RESIDENTS BE ALLOWED TO SMOKE MARIJUANA ON HOUSING YORK PROPERTIES?

The Smoke-Free Policy, which went into effect on November 2014, remains the same. Residents with non-smoking leases are not permitted to inhaling, exhaling, breathing, burning or carrying a lit or burning cigarette, cigar, tobacco or other similar products whose use generates smoke (including cannabis) inside their units, hallways or common areas of the building.