



Office of the Chief Commissioner Bureau du Commissaire en Chef
180 Dundas Street West, Suite 900 180, rue Dundas ouest, suite 900
Toronto ON M7A 2R9 Toronto (Ontario) M7A 2R9
Tel. : (416) 314-4537 Tél. : (416) 314-4537
Fax. : (416) 314-7752 Téléc. : (416) 314-7752

VIA ELECTRONIC MAIL AND REGULAR MAIL

December 18, 2013

Mayor Joe Fontana
London City Hall
300 Dufferin Avenue, P.O. Box 5035
London, ON N6A 4L9
City of London
jfontana@london.ca

Your Worship:

Re: Municipal regulation of methadone health services in the City of London

For more than a year, the Ontario Human Rights Commission ("OHRC") has been monitoring the potential human rights effects of municipal regulation of methadone health services. The OHRC wrote to the City of London (the "City") with respect to this issue on February 24, 2012, August 22, 2012, and May 22, 2013. OHRC staff also met with City staff on March 6, 2013.

We understand that the City currently regulates methadone health services through provisions in zoning bylaws Z1 and Z-1-122090 and through licensing bylaw L-8.

The OHRC remains concerned that groups protected by the Ontario *Human Rights Code* (the "*Code*") may face significant limitations in terms of how they access important health care services because of these regulations.

As you are aware, the *Code* empowers the Commission to initiate inquiries that are in the public interest. Accordingly, the Commission is inquiring into whether the City's bylaws number Z1, Z-1-122090 and L-8 discriminate against people with addictions who rely on methadone services, contrary to the *Code*.

We would like to work with you to learn more about the elements of bylaw Z1 that apply to methadone services, bylaws Z-1-122090 and L-8, and all related protocols. We would like to learn more about other regulatory tools for methadone services canvassed by the City, and why the City ultimately chose

the tools that it did. We would also like to understand the impact, if any, of each regulatory tool that was canvassed (including the tools that were ultimately chosen) on clients and service providers of methadone services.

To that end, we ask that the City produce the following items to the OHRC, covering the time period from January 1, 2009 to present:

1. Minutes, notes, presentation materials and any other documentation relating to all meetings and consultations at which methadone services were discussed, including:
 - City council meetings;
 - Planning and sub-committee meetings;
 - Meetings or consultations with the public – held by, attended by, or reported to the City; and
 - Meetings or consultations with experts – held by, attended by, or reported to the City.
 2. Research findings, reports, statistics, studies, papers – undertaken by, provided to, or retrieved by the City – with respect to methadone services;
 3. Communications internal to the city (i.e., letters, emails or other communications between City staff) which raise issues, concerns, recommendations, or other input with respect to methadone services;
 4. External communications (i.e., letters, emails or other communications submitted to, copied to, or recorded by the City, or items sent by the City to external parties) which raise issues, concerns, recommendations, or other input with respect to methadone services;
 5. Communications, notes, records and all other documents relating to the enforcement and application of methadone related zoning and licensing bylaws, including interim control bylaws; and
 6. A list of methadone services that are, to the City's knowledge, provided within its jurisdiction, and also:
 - The location of these services;
 - The length of time that these services have been in operation;
 - The types of services provided; and
-

- The capacity of these services (how many people are served).

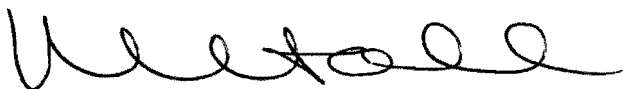
We would appreciate it if you could provide the requested items to us in electronic form, on a USB key or keys. Where possible, please save the items so that they are searchable. For example:

- If the document exists in electronic form, please save it directly as a PDF rather than printing and scanning it as a PDF;
- If the document only exists in printed form and must be scanned to PDF, please make sure that any text recognition/OCR options are turned on so that the product will be searchable.

It would be extremely helpful if you could organize and save the items in separate files or USB keys, by category (1, 2, 3, 4, 5, 6). There is no need to provide duplicates; if a document fits in more than one category it is sufficient to provide it only once under one appropriate category. Should you require any assistance or clarification with respect to formatting, please do not hesitate to contact us.

We ask that the City produce the documents requested above, no later than **February 7, 2014**. Please do not hesitate to contact Margaret Flynn at margaret.flynn@ohrc.on.ca or 416-326-9858, or Delna Karanjia at delna.karanjia@ohrc.on.ca or 416-314-4542, should you have any questions.

Sincerely,



Barbara Hall, B.A, LL.B, Ph.D (hon.)
Chief Commissioner
Ontario Human Rights Commission

Cc: Honourable Deb Matthews, Minister of Health and Long Term Care
Janice L. Page, City Solicitor
John Fleming, Managing Director, Planning and City Planner