

Council Memo



Date December 11, 2024
To City Council
From Councillor Erin Caton

Subject In Support of Charter Rights and Freedoms

Whereas on October 31st, 2024, 13 mayors signed a letter that requested that the Provincial Government intervene in court cases that deemed bylaws regarding encampments as inconsistent with with the Charter of Rights and Freedoms. Those rulings indicated that moving encampments without accessible housing as an alternative, would be removing the only source of shelter and so not allowed, as everyone has the right to shelter. This letter to the province requested approaches that were voted down by the Ontario Big City Mayors. By supporting the removal of the courts ability to rule, this letter encourages the province to allow any encampment bylaw, regardless of lack of compassion, shelter availability, or municipal investment in housing, to stand. In this letter they also call to have the province review the Mental Health Care Consent Act and expand the scope of mandatory treatment, which would have far-reaching implications to the disability community.

1. That Guelph City Council opposes the use of the Notwithstanding Clause as requested by a collection of Ontario Mayors, to circumvent the courts ability to rule on Charter Rights on the subject of encampment relocations due to municipal bylaws throughout Ontario.
2. Further, Council opposes the use of force in involuntary treatment of people with substance use disorders or mental illness who are protected under disability legislation, outside of the existing process.
3. That a letter be sent to AMO, OBCM, and the 12 municipalities included in the 13 mayor request letter for information regarding Guelph Council's opposition.
