Information and Privacy Commissioner,
Ontario, Canada

Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER MO-4758

Appeal MA22-00235

City of Toronto

February 4, 2026

Summary: An individual sought access under the *Municipal Freedom of Information and Protection of Privacy Act* to records relating to him. The city issued a decision stating that the request is frivolous or vexatious.

In this order, the adjudicator finds that the city has not established that the request is frivolous or vexatious and orders the city to issue an access decision.

Statutes Considered: *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, section 4(1)(b); sections 5.1(a) and 5.1(b) of Regulation 823.

Orders Considered: Orders M-618, M-850, MO-1782, MO-4033, MO-4257, MO-4300, MO-4493, MO-4721, PO-4193, and PO-4571.

Cases Considered: *Doré v. Barreau du Québec*, 2012 SCC 12; *Loyola High School v. Quebec (Attorney General)*, 2015 SCC 12; *Commission scolaire francophone des Territoires du Nord-Ouest v. Northwest Territories (Education, Culture and Employment)*, 2023 SCC 31; and *James v. Ontario (IPC)*, 2019 ONSC 6995.

OVERVIEW:

[1] This order determines whether a request to the City of Toronto (the city) is frivolous or vexatious under section 4(1)(b) of the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*).

[2] I begin by providing some background on a related appeal, Appeal MA20-00101, as it eventually culminated in the request that is the subject of the present appeal and is relevant to the issues that are considered in this appeal.

Appeal MA20-00101

[3] In January 2020, the city received a request which was revised to the following:

> All records, paper or digital, that mention or relate to [the requester] from the following Divisions or units, "please exclude any records that originated from [the requester], except in cases where there are handwritten notes on records that originated from [the requester]":
>
> 1. The Mayor's Office
>
> 2. Social Development, Finance and Administration, Confronting Anti-Black Racism Unit, including the Partnership & Accountability Circle
>
> 3. People & Equity
>
> 4. Municipal Licensing & Standards
>
> 5. Ombudsman Toronto
>
> 6. City Councillor Offices and City Clerk
>
> 7. Legal Services Branch
>
> Records search from January 1, 2018 to [January 17, 2020].

[4] The city issued a decision stating that no records exist. In its decision, the city indicated that "[divisions] do not search for records by an individual's name; there must be a specific topic/subject matter identified".

[5] The city noted that during its attempts to clarify the request, the requester mentioned "the issue of 'racism'" on several occasions. As a result, the city indicated that it directed the request to the Social Development, Finance & Administration / Confronting Anti-Black Racism Unit, which was not able to locate any records responsive to the request. The city indicated that if the appellant wished to proceed with a search of the other divisions or units identified in his request, he would be "required to add context to the search other than simply [his] name".

[6] In February 2020, the requester, now the appellant, appealed the city's decision to the Information and Privacy Commissioner of Ontario (IPC). Appeal MA20-00101 was opened and erroneously processed as a deemed refusal file (as if the city had not issued an access decision).

[7] In March 2020, the city and an IPC Early Resolution Analyst (IPC analyst) discussed this appeal. The city advised that a decision had been issued. Shortly after, on March 16, 2020, the IPC and other government offices closed due to the COVID-19 pandemic.

[8] In December 2021, the appeal was moved to the mediation stage. By this time, the IPC analyst had determined that the proper issue on appeal was reasonable search. In response, the city contacted the IPC and objected to reasonable search being added as an issue to what was originally a deemed refusal file, particularly given the amount of time that had passed since the original access decision.

[9] In March 2022, IPC staff suggested to the appellant that he submit a new request to the city. The appellant was informed that once he received the city's new decision, he could appeal it if necessary and the IPC would open a new appeal file.

[10] On March 16, 2022, the IPC analyst informed the city of the following:

> Given the amount of time that has passed, the IPC has suggested to [the appellant] that he submit a new request to the city. [The appellant] has agreed to do so and our office has provided him with some general guidance on how to make his new request clearer…
>
> If [the appellant] does not agree with the city's decision letter, he can appeal to our office and a new file will be opened.

The city confirmed receipt of this information.

Present Appeal

[11] On March 18, 2022, the appellant submitted a new request to the city. The appellant's new request was a modified version of his initial request and read as follows:

> Pursuant to the MFIPPA Act I hereby request disclosure of any records that are related to the July 25, 2018 [appellant's name] email complaint below which was titled "[appellant's name] request for Council Bylaw, Board Policy, Criminal Investigation - please respond ASAP" AND sent to all members of Council including the Mayor.
>
> 1) If the City requires a specific subject matter that is different from "July 25, 2018 [appellant's name] email complaint below", the City shall read the email below themselves and choose their own subject matter, so that if any records are missed, the City would be liable for bad faith.
>
> 2) The time frame is July 25, 2018 to date, the preliminary scope are the 11 Departments below.

3) Please exclude any record originating from [the appellant] to the City of Toronto.

4) In response to the July 25 complaint below the following department has sent or received communication from [the appellant], consequently, please also ask all 10 departments if any records were transferred out like to another city department or a private law firm outside the city or the police, if yes the City shall retrieve and disclose such records:

a) Social Development, Finance and Administration ([named individual], Executive Director)

b) Confronting Anti-Black Racism Unit ([named individual], Community Development Officer, Confronting Anti-Black Racism Unit, Social Development, Finance and Administration)

c) Mayor's Office (includes [named individual], Senior Advisor, Community & Stakeholder Relations Office of Mayor [named individual], [named individual], Mayor's Administration)

d) Partnership & Accountability Circle,

e) People & Equity, Diversity, Human Rights (includes [named individual], Sr. Human Rights Consultant (acting) Equity, Diversity and Human Rights, [named individual], Human Rights Consultant, Equity, Diversity & Human Rights, Human Rights Office, [named individual], Consultant, Equity & Diversity, [named individual] Director, [named individual], Human Rights Office Complaints and Research Analyst, City of Toronto, Equity, Diversity and Human Rights Division)

f) Municipal Licensing & Standards, ([named individual], Executive Director, Municipal Licensing and Standards, [named individual])

g) Community Safety and Well Being ([named individual], Acting Manager, Community Safety & Wellbeing, [named individual], [named individual], [named individual], [named individual])

h) Ombudsman Toronto, ([named person], Complaint Analyst, Ombudsman Toronto)

i) City Councillor Offices

j) City Clerk

k) Legal Services

[12] On April 6, 2022, the city issued a decision stating that it would not be responding to the appellant's request because it considers his request frivolous and/or vexatious pursuant to section 4(1)(b) of the *Act*. Specifically, the city's decision stated:

> With respect to your previous request of (presumed) similar scope, and a failure to properly clarify your request, the City asked the Confronting Anti-Black Racism unit of the Social Development, Finance & Administration to conduct a search for responsive records. Of all the divisions listed in that request, this unit would have been the most likely to have records. It did not.
>
> You are again requesting the similar records from the City. The City will not be responding to the current request, as it considers your request to be frivolous and/or vexatious, pursuant to Section 4(1)(b) and 20.1 of the Act and s. 5.1 of Regulation 823. It is evident that your request is part of a pattern of conduct that amounts to an abuse of the right of access. It is the City's opinion that you made this request for a purpose other than to simply obtain access.

In its decision, the city also provided additional explanations with respect to different portions of the request.

[13] The appellant appealed this decision to the IPC. Appeal MA22-00235 was opened to address the city's finding that the appellant's new and modified request was frivolous and/or vexatious pursuant to section 4(1)(b) of the *Act*.

[14] During mediation, the appellant claimed that the city violated the *Criminal Code of Canada*, the *Municipal Act, 2001*, the *Police Services Act*, and has acted in bad faith. The appellant also sent a Notice of Constitutional Question in which he alleges that a number of his rights under the *Canadian Charter of Rights and Freedoms* (the *Charter*) have been infringed.

[15] Subsequently, the IPC forwarded Appeals MA20-00101 and MA22-00235 to the adjudication stage of the appeal process, where an adjudicator may conduct an inquiry under the *Act*.

[16] The adjudicator originally assigned to both appeals informed the appellant that it was his preliminary view that Appeal MA20-00101 should be closed without conducting an inquiry. After considering the appellant's submissions on the matter, the adjudicator informed the parties that Appeal MA20-00101 was closed and that he would start the inquiry for Appeal MA22-00235 to address the sole issue of whether the March 2022 request was frivolous or vexatious.

[17] The adjudicator sought and received representations from the city regarding

Appeal MA22-00235. The appeal was subsequently transferred to me to complete the inquiry and issue a decision.

[18] I sought and received representations from the appellant and determined that I did not need to hear from the parties further before issuing this decision.

[19] For the reasons that follow, I find that the appellant's request in Appeal MA22-00235 is not frivolous or vexatious within the meaning of section 4(1)(b) of the *Act*. I order the city to issue an access decision with respect to the appellant's request.

DISCUSSION:

[20] The issue before me is whether the appellant's request is frivolous or vexatious within the meaning of section 4(1)(b) of the *Act*.

[21] Section 4(1)(b) of the *Act* provides institutions with a straightforward way of dealing with frivolous or vexatious requests. Section 4(1)(b) reads:

> (1) Every person has a right of access to a record or a part of a record in the custody or under the control of an institution unless,
>
> > (b) the head is of the opinion on reasonable grounds that the request for access is frivolous or vexatious.

[22] Section 5.1 of Regulation 823 under the *Act* elaborates on the meaning of the phrase "frivolous or vexatious":

> A head of an institution that receives a request for access to a record or personal information shall conclude that the request is frivolous or vexatious if,
>
> > (a) the head is of the opinion on reasonable grounds that the request is part of a pattern of conduct that amounts to an abuse of the right of access or would interfere with the operations of the institution; or
> >
> > (b) the head is of the opinion on reasonable grounds that the request is made in bad faith or for a purpose other than to obtain access.

[23] Reading these sections together, there are four grounds under the *Act* for claiming that a request is frivolous or vexatious. An institution that concludes that an access request is frivolous or vexatious has the burden of proof to justify its decision.[1]

[1] Order M-850.

Representations

The city's representations

[24] In its representations, the city reproduces the appellant's initial request from January 2020, the appellant's modified request from March 2022, as well as correspondence from the appellant dating back to July 2018. While not explained in the city's representations, the appellant appears to have forwarded the July 2018 correspondence to the city after it asked him to specify a topic or subject for his January 2020 request.

[25] The city submits that the appellant's request is part of a pattern of conduct that amounts to an abuse of the right of access under the *Act*. The city indicates that it has received multiple requests from the appellant, citing his initial request from January 2020 and his subsequent request from March 2022. The city submits that the latter request is nearly identical to the former request, and that in both cases, the appellant is asking the city to compel:

- the creation of a policy;
- the creation of a by-law;
- potential criminal charges against a member of the public; and/or
- compliance or enforcement action by the Toronto Police Services Board.

[26] The city submits that these demands fall outside the legislative provisions of the *Act*, as well as the city's authority under the *City of Toronto Act* and any other legislation that the city is aware of and governed by, and that the purpose of the appellant's request is to compel the city to undertake actions that fall outside its legislative or operational scope. The city submits that because the language of the request is comprised mostly of declarations, demands, and/or commentary, this further suggests that the appellant is not actually seeking access to specific records.

[27] The city also submits that the appellant's request is made for a purpose other than to obtain access. The city states that the appellant has described the appeal process as "bad faith corrupt vicious sadistic racist malicious collateral attack abuse process crimes against [him]" and has indicated to the IPC that he will not participate in this appeal unless Appeal MA20-00101 proceeds on the issue of reasonable search. The city submits that such statements, along with the appellant's repeated demands for relief outside the scope of the *Act*, suggest that his request was made for a purpose other than to obtain access.

The appellant's representations

[28] The appellant's representations include several lengthy attachments. These

attachments consist of statements of the appellant's position, interspersed with copies of correspondence between the appellant and other parties (including the city and the IPC), as well as references to and excerpts from various statutes and cases. I have reviewed the entirety of the appellant's representations and will discuss those portions which are relevant to the issues before me.

[29] The appellant disputes the city's claim that his request is part of a pattern of conduct that amounts to an abuse of the right of access or that it was made for a purpose other than to obtain access. The appellant submits that the city has failed to identify any improper purpose for his request and cites Orders M-850, MO-1924, and MO-2872, highlighting the sections that discuss when a request may be found to have been made for a purpose other than to obtain access.

[30] The appellant also notes that his March 2022 request was made at the IPC's suggestion and provides evidence of correspondence between him and the IPC to this effect. The appellant indicates that while he had reservations about submitting another request, he was persuaded to do so in the interests of efficiency and so that he could include additional detail in his request to facilitate the city's search for records. The appellant states that he assumed the IPC had received assurances from the city that it would conduct a search based on his modified request. The appellant submits that it is now clear that the city never had any intention of processing his request and is acting in bad faith by misleading the IPC and intentionally causing delays in the appeal process.

Analysis and findings

5.1(a) – Pattern of conduct that amounts to an abuse of the right of access

[31] As previously indicated, the city submits that the request is part of a pattern of conduct that amounts to an abuse of the right of access. In Order M-850, former Assistant Commissioner Mitchinson considered the meaning of the phrase "pattern of conduct, concluding that:

> [I]n my view, a "pattern of conduct" requires recurring incidents of related or similar requests on the part of the requester (or with which the requester is connected in some material way). [The] time over which the behaviour is committed is also a factor.[2]

[32] Once a "pattern of conduct" has been established, it is necessary to determine whether it amounts to an "abuse of the right of access". The following factors have been seen as relevant in deciding whether a pattern of conduct amounts to an abuse of the right of access:

- *Number of requests:* Is the number excessive by reasonable standards?

[2] Order M-850.

- *Nature and scope of the requests:* Are they overly broad and varied in scope or unusually detailed? Are they identical or similar to previous requests?

- *Purpose of the requests:* Are they intended to accomplish some objective other than to gain access? For example, are they made for "nuisance" value, or is the requester's aim to harass the institution or to break or burden the system?

- *Timing of the requests:* Is the timing of the requests connected to court proceedings or the occurrence of some other related event?[3]

[33] Other factors particular to the case under consideration can also be relevant in deciding whether a pattern of conduct amounts to an abuse of the right of access.[4] However, the IPC has found that the focus should be on the cumulative nature and effect of a requester's behaviour.[5]

[34] Based on the information before me, I am not satisfied that the city has established that the request is part of a "pattern of conduct". Although the city submits that it has received multiple requests from the appellant, it only cites two: the request that the appellant made in January 2020 and the modified request that the appellant made in March 2022. The city does not identify any other requests that were submitted by the appellant pursuant to the *Act*.

[35] Previous IPC orders which have established the existence of a pattern of conduct have generally involved requests numbering in the tens, hundreds, or more.[6] In Order MO-4033, which involved an individual's third request over a period of several years, the adjudicator found that the institution failed to establish a pattern of conduct based on the number, frequency, and nature of the requests. Similarly, I am not satisfied that two requests made more than two years apart can be considered "recurring incidents of related or similar requests on the part of the requester".

[36] Even if I were to find that the appellant's request is part of a pattern of conduct, I am not convinced that it amounts to an abuse of the right of access. As I have suggested above, I do not consider two requests, made more than two years apart, to constitute an excessive number by reasonable standards. The city has also not provided any evidence to indicate that the requests were timed to coincide with the occurrence of court proceedings or some other related event.

[37] The city submits that the appellant's two requests are nearly identical and that in processing the first request, it had to make multiple attempts to clarify the scope. Although I acknowledge that the appellant's two requests are similar and that both identify numerous divisions and units that need to be searched, I find that the appellant

[3] Orders M-618, M-850, and MO-1782.
[4] Order MO-1782.
[5] Order MO-1782.
[6] See, for example, Orders MO-4721, PO-4571, MO-4493, MO-4300, and MO-4257.

has explained that those named are the people and groups that he previously interacted with, and therefore where he believes responsive records can be found.

[38] Previous IPC orders have found that in assessing the nature and scope of the request, the amount of responsive records that a request generates can be a relevant consideration.[7] In this case, the city submits that the Social Development, Finance & Administration / Confronting Anti-Black Racism Unit did not locate any responsive records in responding to the appellant's first request and furthermore, that no responsive records exist for either of the appellant's requests. Although this does not necessarily mean that the scope of the request is not overly broad, I find that the city has not explicitly addressed whether or why it considers the present request, which is a modified version of the appellant's first request, to be overly broad or unusually detailed. Consequently, I find that there is insufficient evidence for me to draw any further conclusions about how the city assessed the nature and scope of the appellant's request.

[39] For reasons that I discuss in greater detail below, I also find that the city has failed to establish that the appellant's request was intended to accomplish some objective other than to gain access. As a result, even if I were to find that the appellant's request constitutes a part of a pattern of conduct, I find that the cumulative nature and effect of the appellant's behaviour does not amount to an abuse of the right of access in the specific circumstances of this appeal.

5.1(b) – Purpose other than to obtain access

[40] The city also submits that the request was made for a purpose other than to obtain access. Unlike in section 5.1(a) of Regulation 823, this does not require an institution to demonstrate a "pattern of conduct".[8]

[41] A request is made for a purpose other than to obtain access if the requester is motivated not by a desire to obtain access, but by some other objective.[9] Previous IPC orders have found that an intention by the requester to take issue with a decision made by an institution, or to take action against an institution, is not sufficient to support a finding that the request is "frivolous or vexatious".[10] In order to qualify as a "purpose other than to obtain access", the requester would need to have an improper objective above and beyond an intention to use the information in some legitimate manner.[11]

[42] The city submits that the purpose of the appellant's request is to compel the city to undertake actions that fall outside its legislative or operational scope, including creating specific policies and by-laws, laying criminal charges against members of the public, and compelling the Toronto Police Services Board to take compliance or enforcement action.

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[7] Order PO-4193.
[8] Order M-850.
[9] Order M-850.
[10] Orders MO-1168-I and MO-2390.
[11] Order MO-1924.

In stating this, the city appears to be drawing from the appellant's July 2018 correspondence, which he appears to have forwarded to the city after it asked him to specify a topic or subject for his January 2020 request. The appellant also references this correspondence (referred to by the appellant as a complaint) in his March 2022 request, which is formulated as a request for any records related to said correspondence.

[43] The appellant's July 2018 correspondence is long and somewhat difficult to interpret, particularly when removed from the context in which it was originally sent. However, from this correspondence, I generally understand the appellant to be asking the Toronto Police Services Board to open a criminal investigation into an identified individual, to be requesting and/or recommending that the Toronto Police Services Board create a specific court or tribunal policy, and to be requesting that the city create a by-law compelling the Toronto Police Services Board to create said court or tribunal policy. The correspondence appears to have been emailed to the Chief of Police and various contacts at the Toronto Police Services Board, present (at the time) and former members of Toronto City Council, the Ontario Human Rights Commissioner, the Human Rights Tribunal of Ontario, and other individuals.

[44] The city submits that the sole purpose of the appellant's request is "to somehow compel the [city] into action for which there is no legislative consideration or contemplation under [the *Act*]". The city also highlights the appellant's language during the appeal process and his stated refusal to participate in this appeal unless his related Appeal MA20-00101 proceeds on the issue of reasonable search as evidence that the appellant made this request for a purpose other than to obtain access.

[45] I am not in a position to determine whether or not the city has jurisdiction over any of the matters that the appellant discusses in his July 2018 correspondence. In my view, however, there is a distinction between the requests and recommendations that the appellant set out in his July 2018 correspondence and a request for records relating to this correspondence. More specifically, I find that the city has not adequately explained why it equates a request for records relating to the July 2018 correspondence with an attempt to compel the city into taking the actions set out in the correspondence.

[46] The appellant submits that he made the request because he is interested in the information that led to the city's alleged refusal to create the by-law and otherwise respond to the complaints set out in his correspondence. I accept that the appellant is interested in the existence of records that relate to his correspondence and that this does not constitute an improper purpose. Furthermore, while I acknowledge that the appellant has sometimes used intemperate or inflammatory language, I find that this is insufficient for me to conclude that the request was made for a purpose other than to obtain access.

[47] Finally, I want to acknowledge that this appeal arose out of unique circumstances. Due to an administrative error and extraordinary delays that occurred during the early stages of related Appeal MA20-00101, the parties disagreed on whether and how that appeal should proceed. I accept that the appellant agreed to submit the request which

resulted in the present appeal as a remedial measure and after discussions with the IPC. Certain features of this request, such as its similarity to the appellant's January 2020 request and the very fact that it was made to the city in the first place, are difficult to separate from this background. In my view, it would be unfair to assess the appellant's conduct in making this request without due consideration of this context.

Conclusion

[48] Based on the information before me, I find that the appellant's request is not frivolous or vexatious pursuant to section 4(1)(b) of the *Act*. Specifically, I find that the city has not established that the appellant's request is part of a pattern of conduct that amounts to an abuse of the right of access or made for a purpose other than to obtain access under sections 5.1(a) and (b) of Regulation 823. I order the city to issue an access decision in response to the appellant's request.

[49] Although I have found that the appellant's present request is not frivolous or vexatious pursuant to section 4(1)(b) of the *Act*, I note that this decision does not prevent the city from determining that a future request from the appellant is frivolous or vexatious under section 4(1)(b) of the *Act* where the requirements under section 5.1(a) or (b) of Regulation 823 have been met. Similarly, while the city is entitled to make the decision that it considers appropriate in the circumstances, it should do so with regard to the specific facts of each case.

ADDITIONAL ISSUES

[50] The appellant provided lengthy representations in support of his position in this appeal. I have reviewed and considered the entirety of the appellant's representations and have discussed the portions relevant to the issue above. I conclude with a few additional comments.

Related Appeal MA20-00101 and reasonable search

[51] In his representations for this appeal, the appellant repeatedly expresses frustrations about the outcome of related Appeal MA20-00101. The appellant submits that he has consistently asked for Appeal MA20-00101 to be processed alongside this appeal, considering the issue of reasonable search.

[52] Appeal MA20-00101 was moved to the adjudication stage on the issue of reasonable search. The adjudicator assigned to Appeal MA20-00101 determined that it should be dismissed without conducting an inquiry and gave reasons for this decision. Both the IPC's current and previous *Code of Procedure* gives adjudicators discretion over whether or not an inquiry will be conducted. This decision is final and I do not have the ability to reconsider or re-adjudicate matters that have already been decided.

Constitutional issues

[53] The appellant asserts that his *Charter* rights[12] have been infringed for numerous reasons. He submits a Notice of Constitutional Question in which he raises concerns with the constitutional validity of a February 7, 2020 decision. I understand this to be a reference to the city's decision in response to his first (January 2020) request.[13] The appellant references sections 2, 3, 7, 8, 9, 10, 12, 15, and 24 of the *Charter* in relation to this decision.

[54] The appellant also alleges that the city's decision to find his second (March 2022) request frivolous or vexatious violates sections 2, 7, 8, 9, 10, 12, 15, and 24 of the *Charter* because the city is unable to establish that his request was filed for an improper purpose. The appellant also alleges that this decision (and the frivolous or vexatious provisions of the *Act*) is the city's way of covering up the existence of responsive records, particularly ones that relate to the city's jurisdiction to create the by-law discussed above, and that this violates sections 2, 7, 8, 9, 10, 12, and 15 of the *Charter*. The appellant alleges that the city has directed its staff not to process his access request and that this is unconstitutional, as is any interpretation of the *Act* that allows the city to delay the disclosure of responsive records. The appellant also alleges that any interpretation of the *Act* that facilitates the city's alleged violation of his *Charter* rights is unconstitutionally narrow.

[55] The Supreme Court of Canada has held that administrative decision-makers can and should consider whether their decisions engage relevant *Charter* rights and values.[14] However, in order for a *Charter* right or value to be engaged, there must be a "clear link" between the *Charter* right or value and the administrative decision in question.[15] In *James v. Ontario (IPC)*,[16] the Divisional Court found that the appellant did not establish a basis for her constitutional arguments and that therefore, the adjudicator's decision to dismiss them was reasonable. The court notes that although "*Charter* arguments are easily raised, [this] does not require a tribunal to complete a full-blown hearing on unfounded *Charter* claims".[17]

[56] Here, the appellant appears to be arguing that at least nine of his *Charter* rights have been violated at various times by various actors, including the city. However, I find that most of the appellant's constitutional arguments do not relate to the decision that is

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[12] The appellant references sections 2 (fundamental freedoms), 3 (democratic rights of citizens), 7 (life, liberty and security of person), 8 (search or seizure), 9 (detention or imprisonment), 10 (arrest or detention), 12 (treatment or punishment), 15 (equality rights), and 24 (enforcement) of the *Charter*.
[13] Despite being dated January 30, 2020, this decision appears to have been emailed to the appellant on February 7, 2020.
[14] *Doré v. Barreau du Québec*, 2012 SCC 12; *Loyola High School v. Quebec (Attorney General)*, 2015 SCC 12; *Commission scolaire francophone des Territoires du Nord-Ouest v. Northwest Territories (Education, Culture and Employment)*, 2023 SCC 31 ("*Commission scolaire*").
[15] *Commission scolaire*.
[16] *James v. Ontario (IPC)*, 2019 ONSC 6995 ("*James*").
[17] *Ibid.*

at issue in this appeal. Furthermore, even where the appellant does take issue with the city's decision to find his request frivolous or vexatious, he fails to clearly articulate how this decision engages or violates sections 2, 7, 8, 9, 10, 12, 15 and 24 of the *Charter*. Although it is clear that the appellant believes strongly in the relevance of his *Charter* claims, I am not convinced that he has established a sufficient link between the referenced *Charter* rights and values and the city's decision in this case. Therefore, I find that the appellant's arguments about his *Charter* rights have no bearing on my determination in this appeal.

ORDER:

1. I order the city to issue an access decision to the appellant, treating the date of this order as the date of the request for administrative purposes.

2. I reserve the right to require the city to provide me with a copy of the access decision referred to in Order Provision 1.

Original Signed by: February 4, 2026

Anda Wang
Adjudicator