

## RE: Your Inquiry to the Canadian Human Rights Commission (Inquiry # I2402457)

From: COMPLAINT / PLAINTE (CHRC/CCDP) (complaint.plainte@chrc-ccdp.gc.ca)

To: [REDACTED]

Cc: complaint.plainte@chrc-ccdp.gc.ca

Date: Friday, October 18, 2024 at 10:36 a.m. EDT

### Your Inquiry to the Canadian Human Rights Commission (Inquiry # I2402457)

Dear [REDACTED]

As stated in our previous email, we cannot take your complaint because the issues that you raised about the noise coming from the GTAA are not within the Canadian Human Rights Commission's jurisdiction or mandate. We apologize that we cannot assist you, but we must operate within our legislative framework. We have provided more information to explain why your issue is not something that we can help you with:

For the Canadian Human Rights Commission to have the authority (jurisdiction) to deal with a complaint, the issue being complained about must be about a service within the meaning of section 5 of the Canadian Human Rights Act. To be considered a service within the meaning of section 5 of the Act, something of benefit must be held out as a service and offered to the public.

Section 5 of the Canadian Human Rights Act states:

5. It is a discriminatory practice in the provision of goods, services, facilities or accommodation customarily available to the general public
  - (a) to deny, or to deny access to, any such good, service, facility or accommodation to any individual, or
  - (b) to differentiate adversely in relation to any individual, on a prohibited ground of discrimination.

Not all actions by the GTAA fall within the definition of "service" pursuant to section 5 of the Canadian Human Rights Act. We acknowledge that the noise from the airport may have an impact on your life, but based on the circumstances that you have described, the GTAA is not providing you with any service or treating you differently because of your personal characteristics (such as your disability), but rather it appears that you live within proximity of

the airport and you are impacted by the GTAA's operations. Therefore, it does not appear that you have raised a discriminatory practice that the Canadian Human Rights Commission can deal with, mainly because the GTAA is not providing with you a service based on the situation that you described.

You may wish to bring your concerns to Transport Canada's Civil Aviation Communication Centre by phone (1-800-305-2059) or through their online form: [Civil Aviation Communications Centre contact form](#)

For more information, please consult Transport Canada's website: [Managing noise from aircraft \(canada.ca\)](#)

Given that your issue is outside of the Canadian Human Rights Commission's jurisdiction, we will not be responding to further requests about this issue. We will be re closing our file regarding your inquiry.

Sincerely,

Complaints Services Branch  
Canadian Human Rights Commission

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**From:** Fabio Ovettoni [REDACTED]  
**Sent:** October 15, 2024 9:27 AM  
**To:** COMPLAINT / PLAINTE (CHRC/CCDP) <[complaint.plainte@chrc-ccdp.gc.ca](mailto:complaint.plainte@chrc-ccdp.gc.ca)>  
**Subject:** Re: Your Inquiry to the Canadian Human Rights Commission (Inquiry # I2402457)

CHRC,

I hope this message finds you well. I am writing to formally request a review of the decision regarding my complaint [Case/Reference Number]. I believe that critical aspects of my situation, which significantly impact my rights and well-being, may not have been fully considered in the initial assessment.

I appreciate your response and the attention you have given to my concerns. However, I must express my deep disappointment with the position you have taken. By declining to address the issue of chronic sleep deprivation and its harmful consequences on communities surrounding the airport, I see this as indirectly availing the infliction of what amounts to torture on these communities. The GTAA's practices of allowing constant noise pollution with little to no mitigation measures are causing severe harm, not only to individuals like myself and my

neighbour but also to entire neighbourhoods.

Attached you will find 2 .pdf files. Please read them in the following order: Request for review-1.pdf, Request for review-2.pdf

Sincerely,  
Fabio Ovettoni

On Tuesday, October 1, 2024 at 02:02:40 p.m. EDT, COMPLAINT / PLAINTE (CHRC/CCDP)  
<[complaint.plainte@chrc-ccdp.gc.ca](mailto:complaint.plainte@chrc-ccdp.gc.ca)> wrote:

Your Inquiry to the Canadian Human Rights Commission (Inquiry # I2402457)

Dear Fabio Ovettoni,

This is in response to your inquiry dated July 15, 2024 to the Canadian Human Rights Commission about your concerns about the noise from the airport. We apologize for our delay in responding to your inquiry and are sorry to hear that you are having difficulties sleeping.

We have carefully read your inquiry and while the issues that you raise are important issues about quality of sleep, we regret to inform you that these are not issues that the Canadian Human Rights Commission can deal with. Our office takes complaints of discrimination. Based on our review of the information that you provided, it does not appear that you are alleging that you were treated differently based on your characteristics. Unfortunately, it appears that anyone who lives within a certain distance of the airport may be having a similar experience. As such, we are unable to take your complaint.

We suggest that you consult Transport Canada's their website about aircraft noise reduction. You may wish to contact their Civil Aviation Communication Centre (the contact information in on their website). See think link: [Managing noise from aircraft \(canada.ca\)](#)

Since we are unable to accept your complaint about this issue, we will be closing your file.

Sincerely,

Complaints Services Branch

Canadian Human Rights Commission

