



**City of Kingston
Report to Council
Report Number 24-083**

To: Mayor and Members of Council
From: Lanie Hurdle, Chief Administrative Officer
Resource Staff: Derek Ochej, Deputy City Clerk
Date of Meeting: April 2, 2024
Subject: Francophone Working Group – Next Steps

Council Strategic Plan Alignment:

Theme: 4. Foster a Caring and Inclusive Community

Goal: 4.5 Promote and support diversity.

Executive Summary:

The purpose of this report is to provide an update on the next steps regarding the creation of a Francophone Working Group. Following additional engagement with the Francophone community, staff have created terms of reference, attached to this report as Exhibit A, to create a Francophone Working Group. The recommendation is for the Working Group to begin in Fall 2024, with a proposed end of term of November 14, 2026. Staff would bring a report regarding the Working Group's activities during the intervening time period for the 2026-2030 term of Council to determine next steps.

The goal of the Working Group is to improve engagement between the City and the Francophone community on matters of importance to the community. City staff will assist during the first two years of the Working Group to bring different groups within the Francophone community together, with the goal of allowing the Working Group to function as a self-forming community group, independent of City participation, beginning in 2027.

Recommendation:

That a by-law to amend By-Law Number 2023-204, "Committee By-Law", attached as Exhibit A to Report Number 24-083, be approved.

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Authorizing Signatures:

ORIGINAL SIGNED BY CITY CLERK

Janet Jaynes, City Clerk

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services	Not required
Jennifer Campbell, Commissioner, Community Services	
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:**Background**

On June 6, 2023, Council directed staff to investigate opportunities to improve engagement with the Francophone community, including the feasibility of creating a committee with a mandate focused on issues affecting the Francophone community. Staff reported back on November 7, 2023, on the results of engagement with the Francophone community (detailed in the Public Engagement section of this report) and received from Council, in principle, approval for the creation of a Francophone Working Group, with direction to continue engagement with the community. This report provides the results of that further engagement and recommends the creation of a Francophone Working Group in accordance with the proposed terms of reference detailed in Exhibit A to this report.

Staff are recommending that the Francophone Working Group begin in the Fall 2024 to allow for member recruitment to be conducted and for staff to prepare a draft work plan. It is also recommended that the term for Working Group expire on November 14, 2026, culminating in a staff report to Council during Q1 2027. This staff report would provide a summary of the activities of the Working Group for the incoming 2026 - 2030 term of Council.

The initial motion brought before Council requested staff to investigate opportunities to improve engagement with the Francophone community. It is staff's recommendation that a two-year initiative be undertaken during which time efforts will be made to bring together the various groups and members of the Francophone community with a goal of establishing the Working Group as a self-forming community group. Staff have identified limitations with establishing the Francophone Working Group as a continuous staff endeavour, further details of which can be found throughout this report.

Staff research found that three municipalities in Ontario have formal advisory committees based on the Francophone community: Toronto (Francophone Affairs Advisory Committee), Ottawa (French Language Services Advisory Committee) and Timmins (Francophone Liaison Committee). According to 2021 Census data, the Francophone populations in these communities, as well as Kingston, are as follows:

Municipality	Francophone population	Percentage of population that is Francophone
Ottawa	179,155	17.6%
Toronto	65,925	2.4%
Timmins	15,300	37.2%
Kingston	5,705	4.3%

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Analysis

Following the November 7, 2023, Council decision, staff developed a survey informed by the results of the first phase of the public engagement with the Francophone community. This survey sought feedback on the composition, mandate, functions, and format of a potential working group. The results of this survey, along with consideration for operations of the working group within the current City structure, were used to draft the terms of reference attached to this report as Exhibit A.

Proposed Terms of Reference

Membership of the Francophone Working Group consists of representatives of the public who are members of the Francophone community, French public and separate school board representatives, a variety of Francophone community organizations (detailed in Exhibit A), and a member of City Council. Staff will also work to ensure that a diverse representation of the Francophone community with intersectional identities is present on the Working Group. This will be accomplished through direct connection with a variety of groups during the recruitment process. Council will be responsible for selecting resident members appointments to the Working Group as described in the Public Appointment Policy.

During the engagement additional organizations were identified for potential inclusion, including representatives from French language childcare providers, representatives from public health organizations and from the Federation of Francophone Seniors of Canada. A representative from a French language childcare provider is being included in the terms of reference as the City, as the designated service system manager for the City of Kingston and County of Frontenac, plays an important role in planning and managing childcare and early years (EarlyON / ON y va) services. Francophone childcare and early years services in the region include three French language childcare providers and one French language service provider for ON y va, which is programming for caregivers with children between the ages of zero and six. To keep the Working Group membership to a reasonable number, organizations that were suggested through the engagement process, but which have limited to no municipal responsibilities, are not being considered for formal inclusion in the working group. However, representatives will be able to attend and participate in Working Group meetings as members of the community as meetings will be open for public attendance.

The mandate and functions of the Working Group have been focused on areas of concern within the community that are within municipal service delivery areas. The mandate can be summarized as examining the following areas:

- identifying contributions that the Francophone community can make to the social, economic and cultural vitality of the City;
- providing opportunities for the City to work with the Francophone community to promote existing French-language programming and events and increase the availability of dedicated programming; and

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- increasing access to City service in French for residents and visitors.

The functions of the working group can be summarized as follows:

- increasing collaboration between the City and community/public regarding existing French programming and events and producing City communications content in French;
- advising on the need for dedicated French language programming in City recreation, social services, and cultural programs and through partner organizations;
- examining City initiatives, events and policies through a Francophone lens; and
- inviting outside agencies to share information and receive feedback regarding the needs of the Francophone community.

When engaging with the community on the mandate and functions, staff were aware of the need to maintain an understanding of the scope of municipal jurisdiction. Comments were received regarding obligations under the *French Language Services Act* (the Act) and the importance of the availability of consistent and reliable health services in French. It is important to note that the Act guarantees an individual's rights to receive services in French from Government of Ontario ministries and other provincial government agencies in designated areas. While Kingston is a designated area, the Corporation of the City of Kingston does not qualify as a government agency as defined by the Act, meaning it has no obligations under the Act. The above mandate and functions are focused on areas in which the City provides services, or where a sufficient relationship exists with service providers, for example tourism, that the City may invite those service providers forward to receive feedback.

The City does have obligations, established under separate legislation, to provide French language services for housing programs, some social services programs (such as Ontario Works and child care) and for Provincial Offences Act Court proceedings.

Feedback was also obtained regarding the format for the working group. Options presented include an advisory committee, a working group, or a subcommittee of an existing committee, each of which is defined in the Committee By-Law. Although survey results show that an advisory committee was the preferred option staff are recommending a working group format be utilized and have provided rationale for same in this report.

The procedural rules required under an advisory committee would limit the effectiveness of a Francophone advisory committee. There would be less opportunity for open discussions, a requirement for formal reports from staff as agenda items, and less opportunity for informal participation from outside agencies and non-committee members. The preference for an advisory committee appears to stem from a concern that a working group would not have a connection with Council or the ability to have their concerns heard by Council.

Staff are recommending a working group as it will provide the necessary flexibility to ensure success and meet the desires of the Francophone community to build up networks within the

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community. Working groups allow for more informal participation as they do not require staff reports, quorum, have limitations in terms of discussion time or participants and provide space for intersectional Francophone equity-deserving groups to participate where they have been systemically excluded. To ensure that the working group has a connection to Council, a member of Council will be appointed to serve on the working group.

Next Steps

If approved, the next steps for the Working Group would be the recruitment of members. This will take place throughout spring and fall of 2024, to coincide with the general recruitment for City committees, boards and working groups. The goal will be for the Working Group to hold its first meeting in Q4 2024.

The additional time for recruitment will also allow for appropriate staff resourcing to be deployed. For a working group to be successful, it requires dedicated attention from City staff in the form of a working group liaison. A challenge with this Working Group is that there is no single City department that represents a best fit for a staff liaison position and there is not sufficient need to hire a dedicated resource for this position. As a result, the staff liaison position will be shared between the City Clerk's Department and the Community Development and Wellbeing Department. An additional City staff resource has been identified to assist the Working Group operations. This resource is bilingual and will be used to assist the Working Group in conducting its business in French. This will include the production of any agendas, notes or written components in both English and French, and the conduct of meetings/proceedings in French whenever feasible. It may be necessary for some meeting proceedings to occur in English if guest staff or outside agency participants do not have the necessary French language proficiency.

The Working Group is being provided with a mandate that expires on November 14, 2026. Following the expiration of the mandate, staff will provide a report to the 2026-2030 term of Council in Q1 2027 regarding the Working Group's activities. During the term of the Working Group the City will act as connector and capacity builder within the existing Francophone community and its organizations and residents. The end goal will be for the Working Group to continue to exist as its own community entity without City support, but with the capacity to advocate for and interact with different levels of government based on the needs of the Francophone community.

By building capacity, the Francophone community will be able to engage with the City, as well as other communities and governments, as a self-forming community group. Support for these kinds of self-formed groups is identified as a priority in the EDI work plan. It is important to note that concerns regarding equity have been raised by both staff, and at Council meetings, regarding the Working Group. Those concerns stem from the capacity of the City to provide similar working groups or organizational support for other demographic groups in Kingston.

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Public Engagement

There has been frequent and ongoing engagement with the Francophone community, both at large with Francophone residents, and with representatives of Francophone organizations. An in-person focus group was held to determine the scope of the community's needs from the City of Kingston. An online engagement open to the entire community was also utilized as part of this stage of engagement.

Information gathered at the above stage was used to inform a survey regarding the potential mandate for a working group. Select community representatives were invited to complete the survey, the results of which were used to inform the proposed functions for the working group, attached to this report as Exhibit A. Additionally, those community representatives were invited to provide comments on the terms of reference via email before the completion of this report. A few questions of clarification and one suggestion for inclusion of an additional representative on the Working Group were received.

A summary of the engagement can be found on the project page of the [Get Involved Kingston](#) website.

Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations

As discussed earlier in this report, staff have identified potential equity concerns regarding the extension of support and recognition to one demographic group via a working group and not others. There is not staff capacity to provide a working group or similar organization for other/all identified groups in Kingston. The City does have an Equity, Diversity and Inclusion Advisory Committee which is tasked with providing feedback to staff on IIDEA considerations for the City and its work.

In this case staff are recommending the formation of a Francophone Working Group as Council direction was provided in this manner.

Existing Policy/By-Law

[Committee By-Law](#)

Financial Considerations

None

Contacts:

Derek Ochej, Deputy City Clerk, 613-546-4291 extension 1252

Other City of Kingston Staff Consulted:

Vanessa Mensah, Manager, Equity, Diversity and Inclusion

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Ruth Noordegraaf, Director, Housing and Social Services

Andrew Reeson, Senior Legal Counsel

Exhibits Attached:

Exhibit A – By-Law to Amend By-Law Number 2023-204, Committee By-Law

City of Kingston By-Law Number 2024–...

By-Law to Amend City of Kingston By-Law Number 2023-204, Committee By-Law

Whereas:

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1)).

On November 21, 2023, council for the *City* (“**council**”) enacted *City of Kingston By-Law Number 2023–204*, “*Committee By-Law*”.

Council considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2023-204*:

Therefore, *council* enacts:

1. Amendment

1.1 *City of Kingston By-Law Number 2023-204* is amended as follows:

(a) the following is added in numerical order as a schedule to the by-law:

Schedule 27 – Francophone Working Group

Reporting To: *council*

Composition:

- one member of *council*;
- no less than two and no more than four *residents* who are members of the Francophone community, with consideration given to including at least one *resident* who is a representative of the newcomer Francophone community;
- a representative from the Association canadienne-français de l'Ontario Conseil regional des Mille-Iles (ACFOMI);
- a representative from the Conseil des écoles catholiques du Centre-Est;
- a representative from the Conseil des écoles publiques de l'Est de l'Ontario;
- a representative from the Centre culturel Frontenac;
- a representative from the Réseau de Soutien à l'Immigration Francophone de l'Est de l'Ontario;
- a representative from the Queen's University Club Francophone;
- a representative from the Kingston Military Family Resource Centre or the administration of the Canadian Forces Base Kingston; and
- a representative from a French-language childcare service provider located in Kingston.

Term of Appointment: remaining term of *council*, expiring November 14, 2026.

Assistance Requested: to represent the interest of the Francophone community in Kingston in general, and as they relate to the organizations represented on the *working group*.

The term of the *working group* will expire on November 14, 2026, with a final staff report brought to the 2026-2030 term of *Council* in Q1 2027. The goal for the term is for *city* staff to bring together the various communities that represent the Francophone community so that the community can represent and advocate independently for its concerns to the appropriate levels of government.

The *working group* must examine issues of interest or impact to the *City*, member organizations, and the community including:

- trends, policies, projects and initiatives within Kingston's Francophone communities that can contribute to the social, economic and cultural vitality of Kingston;
- opportunities for the *City* to work with Francophone communities to promote

By-Law to Amend By-Law 2023–204

existing French-language programming and events and increase the availability of dedicated French-language programming; and

- increasing access to *City* services in French for members of the local Francophone communities as well as Francophone visitors to Kingston.

The *working group* must give advice as required on issues of interest or impact to the *City*, member organizations, and the community including:

- increasing collaboration between the *City* and Francophone organizations to publicize existing French programming and events and produce *City* communications content in French, especially emergency services messaging;
- advising on the need for dedicated French language programming via *City* recreation, social services, and cultural programs and through partner organizations;
- examining *City* initiatives, events and policies through a Francophone lens; and
- inviting outside agencies and organizations to engage in discussion with the *working group* to share information and provide feedback regarding the needs of the Francophone community in service provision.

Staff from the City Clerk's Department and Community Development and Wellbeing Department will provide administrative support such as meeting coordination including circulating agendas and taking notes. The *working group* may request outside technical and advisory support as needed to fulfill its mandate, such requests for supplemental support will be facilitated by *City* staff.

Where possible, the *working group* will conduct its business in French, including but not limited to the production of meeting agendas, notes, and documents in both English and French. Meeting proceedings may occur in French, with recognition that some meeting participants may require proceedings in English.

Regular Meeting Frequency: no less than four times per year.

2. Coming into Force

2.1 This by-law will come into force and take effect on the day it is passed.

By-Law to Amend By-Law 2023–204

1st Reading date

2nd Reading date

3rd Reading date

Passed date

Janet Jaynes
City Clerk

Bryan Paterson
Mayor