



## **Report to the Niagara Parks Commission**

### **RE: Summary of Decisions – December 2017 and January 2018**

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#### **December 15, 2017 Commission Meeting**

##### **Grand View Site and the 2018 Operating Season**

That that the Commission:

1. Receive this report regarding updates and proposed changes to Niagara Parks' Grand View site for the 2018 operating season;
2. Approve Niagara Adventure Excursion:
  - a) to use three kiosks located in Niagara Parks' upper Grand View marketplace, as outlined in Appendix B, for the purposes of ticket sales and guest orientation; and,
  - b) to vacate the Clifton Gate (Candy Planet) building, reverting its use back to Niagara Parks beginning with the 2018 operating season;
3. Authorize staff to work with legal counsel to review and amend the Zipline Lease and Operating Agreement, 2015 (the Agreement) to reflect these changes of use outlined in Recommendation 2, accordingly;
4. Authorize the Chair and CEO to execute the Agreement, as amended, on behalf of Niagara Parks;
5. Authorize staff to proceed with the renovation of Niagara Parks' restaurant located in the lower Grand View marketplace beginning in fiscal 2017/18 and continuing into fiscal 2018/19; and,
6. Approve the re-allocation of \$400,000 in capital funding within the 2017/18 capital budget to be used to fund the first phase of the restaurant renovation project.

##### **Comparative Options for Elements Restaurant**

That the Commission:

1. Receive the report, "Niagara Parks Commission Comparative Analysis: Options for Elements Operations" from PricewaterhouseCoopers, attached as Appendix A to the report;
2. Approve Option 1 as outlined in Appendix A to the report whereby Niagara Parks would renovate Elements Restaurant and continue to operate the restaurant as part of Niagara Parks' culinary portfolio;
3. Approve capital funding of up to \$1.5 million for the renovation of Elements Restaurant to be undertaken as part of the overall redevelopment project of Table Rock; and,



4. Direct staff to report back to the Finance and Audit Committee with options (including renovations, costs and benefits) for further input regarding the renovation project as well as the operational plan (labour, branding, marketing) to grow opportunities at Elements Restaurant.

#### **2018 – 2019 Proposed NPC Budget and 2018/19 – 2020/21 Business Plan**

That the Commission approve the 2018 – 2019 budget and 2018/19 – 2020/21 Business Plan as presented.

### **January 19, 2018 Commission Meeting**

#### **Ratification of Motion Re: Hornblower Fees**

That the Commission:

1. Approve the child admission rate for Hornblower Niagara Cruises for the 2018 operating season only as follows:

- a) Retail (regular rate): \$15.95
- b) Group/Broker rate: \$14.35 (10% discount)
- c) Group rate (5,000+ customers): \$12.75 (20% discount)

#### **NuSkin Event Proposal Update**

That the Commission:

- 1. Approve the use of Queen Victoria Park for the proposed Nu Skin event and activities to be held on Tuesday May 15, 2018, including site set-up and rehearsals from May 7-14, 2018;
- 2. Approve the closure of Niagara Parkway between Fraser Hill and Clifton Hill for four hours (minimum), from approximately 7 p.m. to 11 p.m., on the evening of May 15, 2018 to support the event; and,
- 3. Direct staff to complete formal contracts, as required, and authorize the Chair and Chief Executive Officer to execute the agreements.

#### **Our Home and Miniature Land Exhibit**

That the Commission:

- 1. Approve a request from Our Home and Miniature Land Inc. (OHML) to represent a miniature display of Niagara Parks Commission (NPC) landmarks, attractions and branding in their Niagara Exhibit; and
- 2. Authorize the Chair and Chief Executive Officer to execute the Intellectual Property Use Agreement on behalf of NPC.



### **McFarland Park/Smuggler's Cove Node Revenue Generating Opportunity**

That the Commission:

1. Direct staff to undertake the McFarland Park/Smuggler's Cove Revenue Generating Opportunity project;
2. Authorize staff to procure landscape architecture consulting services for the concept land use plan;
3. Authorize staff to procure design consulting services for patio design and construction and report back for budget approval for the Finance & Audit Committee meeting in April 2018;
4. Direct staff to undertake a procurement process for both a Revenue Generating Opportunity for water-based amenities; and for bike rental;
5. Approve the operational funding of \$30,000 for the first phase, to be completed by March 31, 2018; and
6. Direct staff to provide regular updates to the Property & Infrastructure and Finance & Audit Committees.

### **Urban Forestry Management Plan Update**

That the Commission:

1. Receive Report 2018-12 as an update to the development of an Urban Forestry Management Plan for The Niagara Parks Commission (NPC) lands;
2. Approve the five strategic goals of the Urban Forestry Management Plan, which are:
  - a. Maintain and Increase Canopy Cover
  - b. Increase Species and Habitat Diversity
  - c. Mitigate Impacts
  - d. Increase Awareness and Promote Stewardship
  - e. Improve Data Collection and Monitoring;
3. Subject to annual NPC budget approval and annual restoration targets:
  - a. Approve an average canopy cover target of 35% by 2028 for NPC's lands;
  - b. Approve an average biodiversity target by 2028 of utilizing the 5-10-20 rule for new native tree plantings, whereby no more than 5% of one species, 10% of one genus and 20% of one family make up the species composition; and,
  - c. Approve an average target of 75% by 2028 for the amount of Niagara River shoreline that is covered with native vegetation.



### **Cycling Rental Services Agreement**

That the Commission:

1. Direct staff to negotiate a one-year contract with the current service provider, Zoom Leisure, to maintain current services while the cycling strategy is being developed;
2. Authorize the Chair and Chief Executive Officer to execute a one-year contract with Zoom Leisure; and,
3. Direct staff to ensure that any future cycling rental services become part of the overall cycling strategy being proposed in 2018.

### **NPC Cycling Strategy**

That the Commission:

1. Approve the key principles and elements outlined in Report 2018-22 to assist in formulating the Niagara Park Commission's (NPC)'s cycling strategy; and
2. Approve the engagement of a cycling consultant to assist with the development of the NPC cycling program and strategy with a budget of up to \$50,000 to be funded by operations.

### **Capital Projects**

That the Commission:

1. Approve the capital projects report, funded and approved from operations, from April 1, 2017 to December 31, 2017.

### **Code of Conduct**

That the Commission:

1. Approve the updated Code of Conduct as presented in Appendix A to Report 2018-05, with amendments to reflect:
  - a) The title change from General Manager to Chief Executive Officer (CEO);
  - b) Committee member input regarding Standards of Conduct and Sensitive Information;
  - c) Update of The Niagara Parks Commission's vision statement in accordance with the Strategic Plan; and,
  - d) Changes resulting from the government's update of the Public Service of Ontario Act and regulation, specifically related to Oaths and Affirmations of Office and Allegiance.

### **Recorded Information Management Policy**

That the Commission:

1. Approve Policy CPM-01-07 Recorded Information Governance Policy attached as Appendix A to Report 2018-08.



## Archives Policy

That the Commission:

1. Approve Policy CPM-01-23 Archives Policy attached as Appendix A to Report 2018-09.

Prepared by: Original signed by: \_\_\_\_\_ Submitted by: Original signed by: \_\_\_\_\_  
Name(s): Darla Jones Name(s): Reegan McCullough  
Title(s): Executive Assistant to the Chair & Chief Executive Officer  
Chief Executive Officer Title(s):  
Authorized by Chief Executive Officer:  
Reegan McCullough \_\_\_\_\_ Date: 23 February 2018



## Report to the Commission

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### RE: French Language Services Act Application

#### Recommendation(s)

That the Niagara Parks Commission:

1. Receive Report 2018-28 for information.

#### Overview

As per Item 110 (a) through (d), of the Finance and Audit Committee's follow-up log, this report has been prepared to provide a status update on the French Language Services Act (FLS Act) requirements expected of The Niagara Parks Commission (NPC).

The Memorandum of Understanding (MOU) between the Ontario Ministry of Tourism, Culture and Sport (MTCS) and the NPC identifies in its Appendix and Schedule, legislation and directives that apply to NPC which includes the FLS Act (see Appendix A to this report) and the "Communications in French Directive (2010)" (Directive) (see Appendix B to this report).

Section 1 of the FLS Act, provides the definition of a "government agency" for the purposes of the legislation, which includes in its description "...a board, commission or corporation the majority of whose members or directors are appointed by the Lieutenant Governor in Council..." As such, the provisions of the Legislation pertaining to a "government agency," apply to NPC.

Section 5(1) of the FLS Act speaks to the *Rights to Service in French* and stipulates: "A person has the right in accordance with this Act to communicate in French, and to receive available services in French from, any head or central office of a government agency or institution of the Legislature, and has the same right in respect of any other office of such agency or institution that is located in or serves an area designated in the Schedule."

The FLS Act defines service to mean "any service or procedure that is provided to the public by a government agency or institution of the legislature and includes all communications for this purpose."



The Directive lists both a general set of Principles and Mandatory Requirements that ministries and agencies are expected to carry out.

According to the Directive's Principles:

- Ministries and classified agencies consider and incorporate the specific needs of the Francophone community during the communications planning process to effectively reach out to Francophones in the implementation process.
- Communications are effective, relevant and targeted to their audience appropriately.

Within the Mandatory Requirements, all ministries and classified agencies are required:

- To seek out improvements in how they communicate with Francophones
- To adhere to all relevant processes and legislative requirements, notably the French Language Services Act, in the active offer and delivery of French-language services to Ontario's francophone community.
- To consider the Francophone community's specific needs when developing strategic communications plans, and incorporate appropriate approaches into the communications activities, to reach Francophone audiences effectively.

In keeping with both the FLS Act and Directives applicable to NPC, efforts have and continue to be taken to ensure NPC's head office complies with the requirements of the FLS Act. Currently, two bilingual staff within the Oak Hall complex are able to assist with enquiries or issues, brought to the NPC's attention (for example guest services calls, letters, emails, etc.).

The MTCS has indicated that according to the legal interpretation of the FLS Act, provided by the Office of the French Language Commissioner, website communication is considered a communication service/function provided by a head office and is required to be bilingual.

As a result, and as part of the NPC brand initiative in the summer of 2017, NPC launched a new website and has, over the course of the fall and winter, been working on the development and translation of this site into French. The new website was launched in early February, 2018.

Further work and staffing resources will be eventually required as NPC seeks out improvements in how it communicates with Francophones. For example, an expansion of NPC communications activities on its social media accounts – twitter, blogs, Facebook and Instagram accounts – will be investigated for translation on a daily basis, as they too can be considered communications activities from head office.



As well, as NPC continues with its important brand initiative work, the establishment of a new way-finding strategy is also critical and care is taken to ensure French translation is incorporated where applicable into this major communications activity.

These steps are all part of NPC's efforts to seek out improvements in how it communicates and expands its efforts in the active offer and delivery of French-language services to Ontario's Francophone community.

Further, according to Regulation 284 of the FLS Act (Provision of French Language Services on Behalf of government Agencies), the requirements of the FLS Act that apply to NPC also apply to third-party vendors, agencies, entities, etc. that are providing a public service on behalf of the NPC. As such, Hornblower Niagara Cruises (Hornblower) must offer a French language website. NPC staff have been working with representatives of Hornblower since the summer of 2017 to ensure its new French language website and ticketing purchase page will meet these requirements. The new website will be launched at the end of February 2018.

Regulation 398 of the FLS Act further designates additional public service agencies for the purpose of the definition of "government agency," from which the provision of bilingual services is required, while Regulation 407 (Designation of Additional Areas) of the Act outlines where bilingual municipal services are to be provided.

Neither NPC nor the municipalities of Niagara Falls, Niagara-on-the-Lake or Fort Erie are listed within Regulations 398 or 407. The municipalities of Welland and Port Colborne are listed within the FLS Act's Schedule.

NPC staff is currently awaiting a planned training session on both the FLS Act and Directive, which is to be conducted by MTCS staff. Originally planned for the spring/summer of 2017, MTCS has yet to establish a timetable for these future sessions. Once this training session is scheduled, NPC staff will participate and provide updates, as appropriate, on methods and means by which it can improve upon its provision of French language services to its guests.

## **Implications**

Within its fiscal 2018 budget, NPC marketing has worked to facilitate the development and translation of the NPC's new English website into French. In total, over 200 staff hours were allocated to and \$26,000 invested in this project. External web consultants/translation services were used, with \$8,750 required for web development and \$17,370 devoted to translation services.

As part of the 2019 fiscal planning process, resources have been set aside for the retention of an additional communications coordinator staff person that will provide support to both corporate communication and marketing in terms of French language content and translation support. NPC





marketing will also be recruiting a minimum of one bilingual seasonal staff member for its new Guest Services Centre.

NPC Marketing is also currently reviewing the need for an additional staff complement – a bilingual writer – to support its extensive website and social media efforts and reach.

## **Consultation**

Staff from Business Development and Corporate Services were consulted in the preparation of this report.

## **Alternatives for Consideration**

None.

## **Rationale for Recommendation**

NPC has initiated several steps to enhance its French language communication abilities and services that will ensure the NPC fulfils its legislative requirements and more importantly meets the vision, values and themes set out in its new 10-year Strategic Plan.

## **Relevance to Strategic Plan**

Enhanced French language capabilities address several sections of the 2018-2028 Strategic Plan.

Vision:

- A welcoming, accessible and inspiring place offering world-class natural, historical, and authentic experience
- A source of national pride
- One of the most spectacular Parks in the world

Our Values:

- Responsiveness and sensitivity to aligning products and services with the changing needs of our visitors, our providers and our contributors
- Diversity in our staff and customer base that expands the richness of the cultural experience

Strategic Plan Theme:

- Taking Experiences, Services and Hospitality to the next level.

## **Other Pertinent Reports**

None.



Prepared by: \_\_\_\_\_ Original signed by: \_\_\_\_\_ Submitted by: \_\_\_\_\_ Original signed by: \_\_\_\_\_  
Name(s): Tony Baldinelli Name(s): David Adames  
Title(s): Senior Manager, Communications & Stakeholder Relations Title(s): Chief Operating Officer

Authorized by Chief Executive Officer: \_\_\_\_\_ Date: Feb 16, 2018

## Appendices

Appendix A – French Language Services Act

Appendix B – Communications in French Directive (effective May 13, 2010)

Français

**French Language Services Act**

R.S.O. 1990, CHAPTER F.32

**Consolidation Period:** From June 1, 2017 to the [e-Laws currency date](#).

Last amendment: 2017, c. 14, Sched. 4, s. 15.

Legislative History: 1993, c. 27, Sched.; O. Reg. 407/94; 1997, c. 25, Sched. E, s. 3; 1997, c. 26, Sched.; 1999, c. 14, Sched. F, s. 4; 2000, c. 5, s. 12; 2002, c. 17, Sched. F, Table; 2006, c. 35, Sched. C, s. 48; 2007, c. 7, Sched. 16; 2007, c. 8, s. 204; 2009, c. 33, Sched. 6, s. 60; 2013, c. 16; 2017, c. 14, Sched. 4, s. 15.

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**Preamble**

Whereas the French language is an historic and honoured language in Ontario and recognized by the Constitution as an official language in Canada; and whereas in Ontario the French language is recognized as an official language in the courts and in education; and whereas the Legislative Assembly recognizes the contribution of the cultural heritage of the French

speaking population and wishes to preserve it for future generations; and whereas it is desirable to guarantee the use of the French language in institutions of the Legislature and the Government of Ontario, as provided in this Act;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## DEFINITIONS

### Definitions

**1** In this Act,

“Board of Internal Economy” means the Board of Internal Economy established by section 87 of the *Legislative Assembly Act*; (“Commission de régie interne”)

“Commissioner” means the French Language Services Commissioner appointed under section 12.1; (“commissaire”)

“government agency” means,

- (a) a ministry of the Government of Ontario, except that a psychiatric facility, residential facility or college of applied arts and technology that is administered by a ministry is not included unless it is designated as a public service agency by the regulations,
- (b) a board, commission or corporation the majority of whose members or directors are appointed by the Lieutenant Governor in Council,
- (c) a non-profit corporation or similar entity that provides a service to the public, is subsidized in whole or in part by public money and is designated as a public service agency by the regulations,
- (d) a long-term care home as defined in the *Long-Term Care Homes Act, 2007* that is designated as a public service agency by the regulations, other than a municipal home or joint home established under Part VIII of the *Long-Term Care Homes Act, 2007*, or a home for special care as defined in the *Homes for Special Care Act* that is designated as a public service agency by the regulations,
- (e) a service provider as defined in the *Child and Family Services Act* or a board as defined in the *District Social Services Administration Boards Act* that is designated as a public service agency by the regulations,

**Note: On a day to be named by proclamation of the Lieutenant Governor, clause (e) of the definition of “government agency” in section 1 of the Act is repealed and the following substituted: (See: 2017, c. 14, Sched. 4, s. 15)**

- (e) a service provider as defined in the *Child, Youth and Family Services Act, 2017* or a board as defined in the *District Social Services Administration Boards Act* that is designated as a public service agency by the regulations,

and does not include a municipality, or a local board as defined in the *Municipal Affairs Act*, other than a local board that is designated under clause (e); (“organisme gouvernemental”)

“Minister” means the Minister responsible for Francophone Affairs; (“ministre”)

“service” means any service or procedure that is provided to the public by a government agency or institution of the Legislature and includes all communications for the purpose. (“service”) R.S.O. 1990, c. F.32, s. 1; 1997, c. 25, Sched. E, s. 3; 2007, c. 7, Sched. 16, s. 1; 2007, c. 8, s. 204; 2013, c. 16, s. 1.

### Section Amendments with date in force (d/m/y)

1997, c. 25, Sched. E, s. 3 - 01/07/1998

2007, c. 7, Sched. 16, s. 1 - 17/05/2007; 2007, c. 8, s. 204 - 01/07/2010

2013, c. 16, s. 1 (1-4) - 01/01/2014

2017, c. 14, Sched. 4, s. 15 - not in force

## RIGHTS AND OBLIGATIONS

### Provision of services in French

**2** The Government of Ontario shall ensure that services are provided in French in accordance with this Act. R.S.O. 1990, c. F.32, s. 2.

### Section Amendments with date in force (d/m/y)

2013, c. 16, s. 2 - 01/01/2014

### **Use of English or French in Legislative Assembly**

**3** (1) Everyone has the right to use English or French in the debates and other proceedings of the Legislative Assembly. R.S.O. 1990, c. F.32, s. 3 (1).

### **Bills and Acts of the Assembly**

(2) The public Bills of the Legislative Assembly introduced after the 1st day of January, 1991 shall be introduced and enacted in both English and French. R.S.O. 1990, c. F.32, s. 3 (2).

### **Translation of Statutes**

**4** (1) Before the 31st day of December, 1991, the Attorney General shall cause to be translated into French a consolidation of the public general statutes of Ontario that were re-enacted in the Revised Statutes of Ontario, 1980, or enacted in English only after the coming into force of the Revised Statutes of Ontario, 1980, and that are in force on the 31st day of December, 1990. R.S.O. 1990, c. F.32, s. 4 (1).

### **Enactment**

(2) The Attorney General shall present the translations referred to in subsection (1) to the Legislative Assembly for enactment. R.S.O. 1990, c. F.32, s. 4 (2).

### **Translation of regulations**

(3) The Attorney General shall cause to be translated into French such regulations as the Attorney General considers appropriate and shall recommend the translations to the Executive Council or other regulation-making authority for adoption. R.S.O. 1990, c. F.32, s. 4 (3).

### **Right to services in French**

**5** (1) A person has the right in accordance with this Act to communicate in French with, and to receive available services in French from, any head or central office of a government agency or institution of the Legislature, and has the same right in respect of any other office of such agency or institution that is located in or serves an area designated in the Schedule. R.S.O. 1990, c. F.32, s. 5 (1).

### **Duplication of services**

(2) When the same service is provided by more than one office in a designated area, the Lieutenant Governor in Council may designate one or more of those offices to provide the service in French if the Lieutenant Governor in Council is of the opinion that the public in the designated area will thereby have reasonable access to the service in French. R.S.O. 1990, c. F.32, s. 5 (2).

### **Idem**

(3) If one or more offices are designated under subsection (2), subsection (1) does not apply in respect of the service provided by the other offices in the designated area. R.S.O. 1990, c. F.32, s. 5 (3).

### **Existing practice protected**

**6** This Act shall not be construed to limit the use of the English or French language outside of the application of this Act. R.S.O. 1990, c. F.32, s. 6.

### **Limitation of obligations of government agencies, etc.**

**7** The obligations of government agencies and institutions of the Legislature under this Act are subject to such limits as circumstances make reasonable and necessary, if all reasonable measures and plans for compliance with this Act have been taken or made. R.S.O. 1990, c. F.32, s. 7.

### **Regulations**

**8** The Lieutenant Governor in Council may make regulations,

- (a) designating public service agencies for the purpose of the definition of "government agency";
- (b) amending the Schedule by adding areas to it;
- (c) exempting services from the application of sections 2 and 5 where, in the opinion of the Lieutenant Governor in Council, it is reasonable and necessary to do so and where the exemption does not derogate from the general purpose and intent of this Act. R.S.O. 1990, c. F.32, s. 8.

### **Public service agencies; limited designation**

**9** (1) A regulation designating a public service agency may limit the designation to apply only in respect of specified services provided by the agency, or may specify services that are excluded from the designation. R.S.O. 1990, c. F.32, s. 9 (1).

### **Consent of university**

(2) A regulation made under this Act that applies to a university is not effective without the university's consent. R.S.O. 1990, c. F.32, s. 9 (2).

### **Notice and comment re exempting regulation, etc.**

**10** (1) This section applies to a regulation,

- (a) exempting a service under clause 8 (c);
- (b) revoking the designation of a public service agency;
- (c) amending a regulation designating a public service agency so as to exclude or remove a service from the designation. R.S.O. 1990, c. F.32, s. 10 (1).

### **Idem**

(2) A regulation to which this section applies shall not be made until at least forty-five days after a notice has been published in *The Ontario Gazette* and a newspaper of general circulation in Ontario setting forth the substance of the proposed regulation and inviting comments to be submitted to the Minister. R.S.O. 1990, c. F.32, s. 10 (2); 2013, c. 16, s. 3.

### **Idem**

(3) After the expiration of the forty-five day period, the regulation with such changes as are considered advisable may be made without further notice. R.S.O. 1990, c. F.32, s. 10 (3).

### **Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 3 - 01/01/2014

## **MINISTER AND EMPLOYEES**

### **Responsible Minister**

**11** (1) The Minister is responsible for the administration of this Act. R.S.O. 1990, c. F.32, s. 11 (1); 2013, c. 16, s. 4 (2).

### **Functions**

(2) The functions of the Minister are to develop and co-ordinate the policies and programs of the government relating to Francophone Affairs and the provision of French language services and for the purpose, the Minister may,

- (a) prepare and recommend government plans, policies and priorities for the provision of French language services;
- (b) co-ordinate, monitor and oversee the implementation of programs of the government for the provision of French language services by government agencies and of programs relating to the use of the French language;
- (c) make recommendations in connection with the financing of government programs for the provision of French language services;
- (d) REPEALED: 2007, c. 7, Sched. 16, s. 2 (1).
- (e) require the formulation and submission of government plans for the implementation of this Act and fix time limits for their formulation and submission,

and shall perform such duties as are assigned to the Minister by order in council or by any other Act. R.S.O. 1990, c. F.32, s. 11 (2); 1993, c. 27, Sched.; 2007, c. 7, Sched. 16, s. 2 (1).

### **Annual report**

(3) The Minister, after the close of each fiscal year, shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Office of Francophone Affairs and shall then lay the report before the Assembly if it is in session or, if not, at the next session. R.S.O. 1990, c. F.32, s. 11 (3).

### **Regulations**

(4) Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations generally for the better administration of this Act and, without limiting the generality of the foregoing,

- (a) governing the publication of government documents in French;
- (b) governing the provision of services in French under a contract with a person who has agreed to provide services on behalf of a government agency, including the circumstances in which the agency may enter into such a contract. 2007, c. 7, Sched. 16, s. 2 (2); 2013, c. 16, s. 4 (2).

**Section Amendments with date in force (d/m/y)**

1993, c. 27, Sched. - 31/12/1991

2007, c. 7, Sched. 16, s. 2 (1, 2) - 17/05/2007

2013, c. 16, s. 4 (1, 2) - 01/01/2014

**Office for Francophone Affairs**

**12** (1) Such employees as are considered necessary shall be appointed under Part III of the *Public Service of Ontario Act, 2006* for the administration of the functions of the Minister, and shall be known as the Office of Francophone Affairs. R.S.O. 1990, c. F.32, s. 12 (1); 2006, c. 35, Sched. C, s. 48; 2013, c. 16, s. 5 (1).

**Function of Office of Francophone Affairs**

(2) The Office of Francophone Affairs may,

- (a) review the availability and quality of French language services and make recommendations for their improvement;
- (b) recommend the designation of public service agencies and the addition of designated areas to the Schedule;
- (c) require non-profit corporations and similar entities, facilities, homes and colleges referred to in the definition of “government agency” to furnish to the Office information that may be relevant in the formulation of recommendations respecting their designation as public service agencies;
- (d) recommend changes in the plans of government agencies for the provision of French language services;
- (e) make recommendations in respect of an exemption or proposed exemption of services under clause 8 (c),

and shall perform any other function assigned to it by the Minister, the Executive Council or the Legislative Assembly. R.S.O. 1990, c. F.32, s. 12 (2); 1993, c. 27, Sched; 2013, c. 16, s. 5 (2).

**Section Amendments with date in force (d/m/y)**

1993, c. 27, Sched. - 31/12/1991

2006, c. 35, Sched. C, s. 48 - 20/08/2007

2013, c. 16, s. 5 (1, 2) - 01/01/2014

FRENCH LANGUAGE SERVICES COMMISSIONER

**French Language Services Commissioner**

**12.1** (1) There shall be an officer of the Assembly who is known in English as the French Language Services Commissioner and in French as commissaire aux services en français. 2013, c. 16, s. 6.

**Definition**

(2) In this section,

“recognized party” has the same meaning as in subsection 62 (5) of the *Legislative Assembly Act*. 2013, c. 16, s. 6.

**Appointment**

(3) The Lieutenant Governor in Council shall appoint the Commissioner on the address of the Assembly, but only if the person to be appointed has been selected by a panel that is composed of one member of the Assembly from each recognized party and that is chaired by the Speaker of the Assembly who is a non-voting member. 2013, c. 16, s. 6.

**Transition**

(4) The Commissioner in office immediately before the *French Language Services Amendment Act (French Language Services Commissioner), 2013* comes into force shall continue to hold office until confirmed in office under subsection (3) or until a successor is appointed. 2013, c. 16, s. 6.

**Term of office**

(5) The Commissioner shall hold office for a term of five years and may be reappointed for one further term of five years. 2013, c. 16, s. 6.

**Same**

(6) The Commissioner continues to hold office after the expiry of the term until reappointed or until a successor is appointed. 2013, c. 16, s. 6.

**Removal**

(7) The Lieutenant Governor in Council may remove the Commissioner for cause on the address of the Assembly. 2013, c. 16, s. 6.

**Delegation**

(8) The Commissioner may delegate in writing, to any person employed in the Office of the French Language Services Commissioner, the authority to perform any of the Commissioner's functions or to carry out any of the Commissioner's powers, subject to the terms provided for in the delegation. 2013, c. 16, s. 6.

**Temporary Commissioner**

(9) If, while the Assembly is not sitting, the Commissioner is unable for any reason to fulfil the duties of office or the office becomes vacant, the Lieutenant Governor in Council shall appoint a temporary Commissioner, whose appointment comes to an end when the Commissioner is again able to fulfil the duties of the office or when a new Commissioner is appointed under subsection (3), as the case may be. 2013, c. 16, s. 6.

**Selection by panel**

(10) The Lieutenant Governor in Council may appoint a temporary Commissioner under subsection (9) only if the person to be appointed has been selected by a panel that is composed of one member of the Assembly from each recognized party and that is chaired by the Speaker of the Assembly who is a non-voting member. 2013, c. 16, s. 6.

**Powers and duties**

(11) A temporary Commissioner shall have the power and duties of the Commissioner. 2013, c. 16, s. 6.

**Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007; 2007, c. 7, Sched. 16, s. 4 - 20/08/2007

2013, c. 16, s. 6 - 01/01/2014

**Nature of employment**

**12.1.1** (1) The Commissioner shall work exclusively as Commissioner and shall not hold any other office under the Crown or engage in any other employment. 2013, c. 16, s. 6.

**Not a public servant**

(2) The Commissioner is not a public servant within the meaning of the *Public Service of Ontario Act, 2006*. 2013, c. 16, s. 6.

**Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

**Salary and benefits**

**12.1.2** (1) The Commissioner and a temporary Commissioner appointed under subsection 12.1 (9) shall be paid a salary that the Board of Internal Economy determines and that is comparable to the salary paid to other officers of the Assembly. 2013, c. 16, s. 6.

**Same**

(2) The salary of the Commissioner shall not be reduced except on the address of the Assembly. 2013, c. 16, s. 6.

**Expenses**

(3) The Commissioner is entitled to be paid reasonable travelling and living expenses while absent from his or her ordinary place of residence in the exercise of any functions under this Act. 2013, c. 16, s. 6.



## **Pension**

(4) The Commissioner is a member of the Public Service Pension Plan. 2013, c. 16, s. 6.

## **Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

## **Office of the Commissioner**

**12.1.3** (1) The office known in English as the Office of the French Language Services Commissioner and in French as Commissariat aux services en français is continued. 2013, c. 16, s. 6.

## **Budget**

(2) The money required for the administration of the Office of the French Language Services Commissioner shall be paid out of the money appropriated for that purpose by the Legislature. 2013, c. 16, s. 6.

## **Directives**

(3) The Board of Internal Economy may from time to time issue directives to the Commissioner with respect to the expenditure of funds and the Commissioner shall comply with those directives. 2013, c. 16, s. 6.

## **Estimates**

(4) The Commissioner shall present annually to the Board of Internal Economy estimates of the sums of money that will be required for the purposes of carrying out the Commissioner's functions under this Act. 2013, c. 16, s. 6.

## **Review by Board**

(5) The Board of Internal Economy shall review and may alter the estimates as it considers proper. 2013, c. 16, s. 6.

## **Audit**

(6) The accounts and financial transactions of the Office of the French Language Services Commissioner shall be audited annually by the Auditor General. 2013, c. 16, s. 6.

## **Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

## **Employees**

**12.1.4** (1) Subject to the approval of the Board of Internal Economy, the Commissioner may employ the employees whom the Commissioner considers necessary for the efficient and proper operation of the Office of the French Language Services Commissioner and may determine their salary or wages and terms and conditions of employment. 2013, c. 16, s. 6.

## **Transition**

(2) The employees of the Office of the French Language Services Commissioner in office immediately before the day the *French Language Services Amendment Act (French Language Services Commissioner)*, 2013 comes into force shall continue as employees of that Office. 2013, c. 16, s. 6.

## **Salaries or wages**

(3) Salaries or wages determined under subsection (1) shall be comparable to the salaries or wages determined under Part III of the *Public Service of Ontario Act, 2006* for public servants employed under that Part to work in a ministry, other than in a minister's office, who are in similar positions. 2013, c. 16, s. 6.

## **Benefits**

(4) The benefits determined under Part III of the *Public Service of Ontario Act, 2006* with respect to the following matters for public servants employed under that Part to work in a ministry, other than in a minister's office, who are not within a bargaining unit apply to the employees of the Office of the French Language Services Commissioner:

1. Cumulative vacation and sick leave credits for regular attendance and payments in respect of those credits.
2. Plans for group life insurance, medical-surgical insurance or long-term income protection.
3. The granting of leaves of absence. 2013, c. 16, s. 6.

## **Same**

(5) For the purposes of subsection (4), if a benefit applicable to an employee of the Office of the French Language Services Commissioner is contingent on the exercise of a discretionary power or the performance of a discretionary function, the

Commissioner or any person authorized in writing by the Commissioner may exercise the power or perform the function. 2013, c. 16, s. 6.

**Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

**Premises and supplies**

**12.1.5** The Commissioner may lease the premises and acquire the equipment and supplies as are necessary for the efficient and proper operation of the Office of the French Language Services Commissioner. 2013, c. 16, s. 6.

**Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

**Immunity**

**12.1.6** (1) No proceeding shall be commenced against the Commissioner or any employee of the Office of the French Language Services Commissioner for any act done or omitted in good faith in the execution or intended execution of his or her duties under this Act. 2013, c. 16, s. 6.

**Testimony**

(2) Neither the Commissioner nor an employee of the Office of the French Language Services Commissioner is a compellable witness in a civil proceeding outside the Assembly in connection with anything done under this Act or any other Act. 2013, c. 16, s. 6.

**Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 6 - 01/01/2014

**Functions of Commissioner**

**12.2** It is the function of the Commissioner to encourage compliance with this Act by,

- (a) conducting investigations into the extent and quality of compliance with this Act, pursuant to complaints relating to French language services made by any person or on the Commissioner's own initiative;
- (b) preparing reports on investigations, including recommendations for improving the provision of French language services;
- (c) monitoring the progress made by government agencies in providing French language services;
- (d) advising the Minister on matters related to the administration of this Act; and
- (e) performing such other functions as may be assigned to the Commissioner by the Lieutenant Governor in Council. 2007, c. 7, Sched. 16, s. 3.

**Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007

**Commissioner's discretion to investigate complaints**

**12.3** (1) The Commissioner may, in his or her discretion, decide not to take any action based on a complaint relating to French language services, including refusing to investigate or ceasing to investigate any complaint, if, in his or her opinion,

- (a) the subject-matter of the complaint is trivial;
- (b) the complaint is frivolous or vexatious or is not made in good faith;
- (c) the subject-matter of the complaint has already been investigated and dealt with;
- (d) the subject-matter of the complaint does not involve a contravention of or failure to comply with this Act or, for any other reason, does not come within the authority of the Commissioner under this Act. 2007, c. 7, Sched. 16, s. 3.

**Notice to complainant**

(2) If the Commissioner decides not to act on a complaint, or to take no further actions with regard to a complaint, he or she shall give the complainant notice in writing of the decision, and of the reasons for it. 2007, c. 7, Sched. 16, s. 3.

**Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007

## **Investigations**

**12.4** (1) Subject to this Act, the Commissioner may determine the procedure to be followed in conducting an investigation. 2007, c. 7, Sched. 16, s. 3.

### **Notice to be given to deputy head**

(2) Before beginning an investigation, the Commissioner shall inform the deputy head or other administrative head of the government agency concerned of his or her intention to conduct an investigation. 2007, c. 7, Sched. 16, s. 3.

### **Application of *Public Inquiries Act, 2009***

(3) Section 33 of the *Public Inquiries Act, 2009* applies to an investigation by the Commissioner. 2009, c. 33, Sched. 6, s. 60.

## **Confidentiality**

(3.1) Information disclosed to the Commissioner under this Act is confidential and shall not be disclosed to any person, except,

- (a) by the person to whom the information relates or with the consent of that person;
- (b) in a criminal proceeding, as required by law; or
- (c) otherwise in accordance with this Act. 2013, c. 16, s. 7 (1).

## **Report on results of investigation**

(4) The Commissioner shall report the results of an investigation,

- (a) where the investigation arises from a complaint, to the complainant, the deputy head or other administrative head of the government agency concerned and the Speaker of the Assembly;
- (b) where the investigation is at the Commissioner's own initiative, to the deputy head or other administrative head of the government agency concerned and the Speaker of the Assembly. 2007, c. 7, Sched. 16, s. 3; 2013, c. 16, s. 7 (2).

### **Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007

2009, c. 33, Sched. 6, s. 60 - 01/06/2011

2013, c. 16, s. 7 (1, 2) - 01/01/2014

## **Annual report**

**12.5** (1) On or before July 31 in each year, the Commissioner shall prepare and submit to the Speaker of the Assembly an annual report on his or her activities, which may include recommendations for improving the provision of French language services. 2013, c. 16, s. 8.

### **Copy of report**

(2) Upon submitting an annual report, the Commissioner shall provide a copy of it to the Minister. 2013, c. 16, s. 8.

### **Tabling of report**

(3) Upon receiving an annual report, the Speaker of the Assembly shall lay it before the Assembly at the earliest reasonable opportunity. 2013, c. 16, s. 8.

### **Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007

2013, c. 16, s. 8 - 01/01/2014

## **Other reports**

**12.6** (1) The Commissioner may at any time prepare and submit, to the Speaker of the Assembly, any other report that the Commissioner considers appropriate on any matter related to this Act. 2013, c. 16, s. 8.

### **Copy of report before submission**

(2) Before submitting a report under subsection (1), the Commissioner shall deliver a copy of it to any member of the Executive Council who presides over and has charge of any ministry or to the head of any public entity to which the report is relevant. 2013, c. 16, s. 8.

### **Interpretation, head of a public entity**

(3) A reference in subsection (2) to the head of a public entity is a reference to its chief executive officer or to a person who holds a similar position with respect to the public entity. 2013, c. 16, s. 8.

### **Copy of report**

(4) Upon submitting a report under subsection (1), the Commissioner shall provide a copy of it to the Minister and may provide a copy of it to any person whom the Commissioner considers appropriate. 2013, c. 16, s. 8.

### **Tabling of report**

(5) Upon receiving a report under subsection (1), the Speaker of the Assembly shall lay it before the Assembly at the earliest reasonable opportunity. 2013, c. 16, s. 8.

### **Section Amendments with date in force (d/m/y)**

2007, c. 7, Sched. 16, s. 3 - 17/05/2007

2013, c. 16, s. 8 - 01/01/2014

### **Publication of report**

**12.7** The Commissioner may publish, in any manner he or she considers appropriate, a report of the Commissioner mentioned in this Act, 30 days after having submitted the report, unless the Speaker consents to the report's earlier publication. 2013, c. 16, s. 8.

### **Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 8 - 01/01/2014

## FRENCH LANGUAGE SERVICES CO-ORDINATORS

### **French language services co-ordinators**

**13** (1) A French language services co-ordinator shall be appointed for each ministry of the government. R.S.O. 1990, c. F.32, s. 13 (1).

### **Committee**

(2) There shall be a committee consisting of the French language services co-ordinators, presided over by the senior official of the Office of Francophone Affairs. R.S.O. 1990, c. F.32, s. 13 (2).

### **Communication**

(3) Each French language services co-ordinator may communicate directly with his or her deputy minister. R.S.O. 1990, c. F.32, s. 13 (3).

### **Deputy minister**

(4) Each deputy minister is accountable to the Executive Council for the implementation of this Act and the quality of the French language services in the ministry. R.S.O. 1990, c. F.32, s. 13 (4).

### **Section Amendments with date in force (d/m/y)**

2013, c. 16, s. 9 - 01/01/2014

## MUNICIPALITIES

### **Municipal by-laws re official languages**

**14** (1) The council of a municipality that is in an area designated in the Schedule may pass a by-law providing that the administration of the municipality shall be conducted in both English and French and that all or specified municipal services to the public shall be made available in both languages. R.S.O. 1990, c. F.32, s. 14 (1).

### **Right to services in English and French**

(2) When a by-law referred to in subsection (1) is in effect, a person has the right to communicate in English or French with any office of the municipality, and to receive available services to which the by-law applies, in either language. R.S.O. 1990, c. F.32, s. 14 (2).

## Regional councils

(3) Where an area designated in the Schedule is in a regional municipality and the council of a municipality in the area passes a by-law under subsection (1), the council of the regional municipality may also pass a by-law under subsection (1) in respect of its administration and services. 2002, c. 17, Sched. F, Table.

### Section Amendments with date in force (d/m/y)

2002, c. 17, Sched. F, Table - 01/01/2003

2013, c. 16, s. 10 - 01/01/2014

## SCHEDULE

MUNICIPALITY OR DISTRICT	AREA
City of Greater Sudbury	All
City of Hamilton	All of the City of Hamilton as it exists on December 31, 2000
City of Ottawa	All
City of Toronto	All
Regional Municipality of Niagara	Cities of: Port Colborne and Welland
Regional Municipality of Peel	City of Brampton City of Mississauga
County of Dundas	Township of Winchester
County of Essex	City of Windsor Towns of: Belle River and Tecumseh Townships of: Anderdon, Colchester North, Maidstone, Sandwich South, Sandwich West, Tilbury North, Tilbury West and Rochester
County of Frontenac	City of Kingston
County of Glengarry	All
County of Kent	Town of Tilbury Townships of: Dover and Tilbury East
County of Middlesex	City of London
County of Prescott	All
County of Renfrew	City of Pembroke Townships of: Stafford and Westmeath
County of Russell	All
County of Simcoe	Town of Penetanguishene Townships of: Tiny and Essa
County of Stormont	All
District of Algoma	All
District of Cochrane	All
District of Kenora	Township of Ignace
District of Nipissing	All
District of Parry Sound	Municipality of Callander
District of Sudbury	All
District of Thunder Bay	Towns of: Geraldton, Longlac and Marathon Townships of: Manitouwadge, Beardmore, Nakina and Terrace Bay
District of Timiskaming	All

R.S.O. 1990, c. F.32, Sched.; O. Reg. 407/94, s. 1; 1997, c. 26, Sched.; 1999, c. 14, Sched. F, s. 4; 2000, c. 5, s. 12; O. Reg. 407/94, s. 2 (as remade by O. Reg. 405/04, s. 1); O. Reg. 407/94, s. 3 (as made by O. Reg. 184/06, s. 1).

**Note: On July 1, 2018, the following area is added to the Schedule to the Act: (See O. Reg. 407/94, s. 4 (as made by O. Reg. 159/15, s. 1))**

Regional Municipality of York	City of Markham
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### Section Amendments with date in force (d/m/y)

O. Reg. 407/94, s. 1 - 01/07/1997; O. Reg. 407/94, s. 2 (as remade by O. Reg. 405/04, s. 1) - 01/01/2007; O. Reg. 407/94, s. 3 (as made by O. Reg. 184/06, s. 1) - 01/05/2009; O. Reg. 407/94, s. 4 (as made by O. Reg. 159/15, s. 1) - 01/07/2018; 1997, c. 26, Sched. - 01/01/1998; 1999, c. 14, Sched. F, s. 4 - 01/01/2001

2000, c. 5, s. 12 - 01/01/2001



## **Communications in French Directive**

Management Board of Cabinet

**Effective May 13, 2010**

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## INTRODUCTION

The Ontario government respects the long history and vibrant culture of the Francophone community in this province. To meet their unique cultural and language needs, the government is committed to proactively offering quality communication services to them.

### *Legislative Requirements*

- The French Language Services Act (FLSA) guarantees to French-speaking individuals, as well as Francophone organizations and municipalities, the right to receive communications services in French equivalent to those offered in English, at the same time, and of the same quality.

### *Customer Service*

- The Ontario Public Service (OPS) is a professional service organization committed to providing high-quality, cost-effective services that keep pace with rising public expectations.

### *Impact of Changing Technology*

- As new technologies transform the way we interact with Ontarians, communication from government must evolve and adjust to new formats to ensure that all Ontarians receive information in a timely and effective manner.

### *Communications in French Guidelines*

- In addition to this directive, the Ontario government has created a guideline document about communications in French. The purpose of this document is to help identify the best and most consistent practices for external communications with the Francophone population.

## PURPOSE

The purpose of this directive is to set out the principles, roles and responsibilities regarding communications in French for external customers of the Ontario Public Service.

## PRINCIPLES

- Ministries and classified agencies consider and incorporate the specific needs of the Francophone community during the communications planning process to effectively reach out to Francophones in the implementation process.



- Communications are effective, relevant and targeted to their audience appropriately.

## **APPLICATION AND SCOPE**

This directive applies to all Ontario ministries and classified agencies with respect to their communication plans and strategies for external customers of the Ontario Public Service.

## **MANDATORY REQUIREMENTS**

All ministries and classified agencies are required:

- To seek out improvements in how they communicate with Francophones.
- To adhere to all relevant processes and legislative requirements, notably the French Language Services Act, in the active offer and delivery of French-language services to Ontario's francophone community.
- To consider the Francophone community's specific needs when developing strategic communication plans, and incorporate appropriate approaches into the communications activities, to reach Francophone audiences effectively.

## **EXEMPTIONS**

Any exemptions to this directive must be approved by Treasury Board/Management Board of Cabinet.

## **GUIDELINES**

To help achieve compliance with the mandatory requirements, ministries and classified agencies should refer to the guideline document. It can be found at: [http://intra.cabinetoffice.gov.on.ca/intranet/docs/communications/guides/Communications\\_in\\_French\\_Guidelines.pdf](http://intra.cabinetoffice.gov.on.ca/intranet/docs/communications/guides/Communications_in_French_Guidelines.pdf)

## RESPONSIBILITIES

- Treasury Board/Management Board of Cabinet:

Approve any amendment, update or exemption to this directive.

- Cabinet Office Communications:
  - Work with the Office of Francophone Affairs to review and recommend to Treasury Board/Management Board of Cabinet any update, amendment or exemption to the directive.
  - Work with the Office of Francophone Affairs to develop support materials relating to this directive.
  - Provide information on any update, amendment to the directive, or supporting material to ministries, working with the Office of Francophone Affairs to distribute the above.
- The Office of Francophone Affairs:
  - Work with Cabinet Office to review and recommend to Treasury Board/Management Board of Cabinet any update, amendment or exemption to the directive.
  - Work with Cabinet Office Communications to develop support materials relating to this directive.
  - Provide advice and training to ministries and classified agencies as needed.
  - Work with Cabinet Office Communications to help distribute information, as appropriate on any update, amendment to the directive or supporting material.
  - Liaise with the Provincial Advisory Committee on Francophone Affairs, the network of French language service coordinators and communications directors in the Ontario Public Service.
- Deputy Ministers:
  - Ensure that this directive is implemented by their ministries.
  - Ensure that their staff are aware of and adhere to this directive.
- Classified Agency Chairs and Chief Executive Officers:
  - Ensure that this directive is implemented by their agencies.
  - Ensure that their staff are aware of and adhere to this directive.
- Ministry of Government Services:

- Provide advice and guidance for any update, amendment or exemption to this directive.
  - Provide advice and guidance with respect to the authority and mandate of Treasury Board/Management Board of Cabinet.
- Communications Directors:
  - Ensure that this directive is adhered to by their communications staff.

## Report to the Finance & Audit Committee

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### RE: Eco-Friendly Alternatives to Bottled Water – Transition Plan

#### Recommendation(s)

That the Finance and Audit Committee recommends that the Niagara Parks Commission:

1. Direct staff to report back to the Finance and Audit Committee at its April 11, 2018 meeting with an update report.

#### Overview

The purpose of this report is to provide background information and seek approval regarding bottled water at Niagara Parks, including how Niagara Parks sells, generates revenue and offers bottled water to guests, what retail products it offers in the form of refillable containers, how it recycles plastic bottles, the installation of water-filling stations and other methods being undertaken to eliminate bottled water sales.

As part of its mandate as the environmental and cultural stewards of the Niagara River Corridor, Niagara Parks has a key role to play in promoting, alternatives and eliminating the sale of bottled water at Niagara Parks.

The reduction and eventual target goal of eliminating the sale of bottled water at Niagara Parks will be undertaken in a phased approach, given the need to incorporate a number of offsetting measures to ensure ongoing high-quality guest experiences e.g.: convenient access to water stations; process for accessing water during major events; waste recycling and refillable container sales.

While staff is recommending the following approach, the elimination of the sale of bottled water will occur in some departments prior to others:

- Install water stations at key sites across Niagara Parks – 2017 forward
- Terminate bottled water sales at all NPC sites with the following target dates:
  - Parks sites: 2018
  - First retail and culinary sites: 2019
  - Second retail and culinary sites: 2020
  - Golf: 2020
- Offer Products for sale and merchandise plan – 2018
- Special events – beginning in 2018



- Recycling plan – 2019
- Supply chain considerations (e.g. working with vendors) – beginning in 2018

A Communications plan will be developed by May 2018 including:

#### Economic:

- Revenue from the sale of plastic water bottles and from refillable containers
- Cost of recycling program

#### Social:

- Promotion of the benefit of reducing use of bottled water
- Respect for guests who may wish to purchase bottled water

#### Environmental

- Installation of water-filling stations
- Use of water stations at special events
- Increase in recycling capacity at Niagara Parks
- Promotion of Niagara Parks' reduction in use of bottled water

Bottled Water at Niagara Parks today:

#### Retail Operations

The Retail department will expand the selection of refillable containers in all retail locations at Niagara Parks. This also includes signage to promote Niagara Parks' commitment to sustainability. A wide selection of containers is available at various prices, with a focus on higher-end, stainless steel, branded, and trendy options. Price points on refillable containers start at \$15 and upwards, with an average price of approximately \$24. In 2017 across all retail locations, 2,448 refillable containers were sold for a total gross revenue of \$39,159. In the same time period, 112,545 bottles of water were sold through Retail for a total gross revenue of \$314,036.

#### Water-Filling Stations

Niagara Parks installed its first water-filling station at the Niagara Glen Nature Centre on September 6, 2017. From its installation to the end of the season on November 5, the water-filling station has diverted the equivalent of 1,095 water bottles. Each bottle counted represents 591mL (20oz) of water. Three additional water-filling stations are planned for installation in 2018 at McFarland Park, Queenston Heights Park, and Old Fort Erie. Staff will investigate fast-tracking the installation of additional water-filling stations in 2018 and plan for more installations from in subsequent years,



including as part of capital projects such as Table Rock redevelopment. In addition to an appropriate location, each water-filling station requires infrastructure customized to that location, such as a water line, power source, and millwork.

#### Water Bottle Recycling

Parks operations has established recycling containers around the exterior of many NPC attractions, although containers do not yet break out the volumes of plastic bottles from those of paper cups or aluminum cans. All post-consumer water bottle recycling is collected as part of NPC's mixed recycling streams and is processed through an external vendor.

Program considerations for the 2018 season will include:

- piloting of locked recycling containers for major events to limit potential for contamination, thus maximizing ability to separate material at the source;
- increases to the quantity of recycling containers around Table Rock to review effectiveness of containers; and
- a review of collaboration opportunities with Niagara Sustainability Initiative members such as Eco-Defenders that could participate in NPC events to help control contamination and educate guests about the value of recycling at the source.

#### Vendor Sustainability Initiatives

Niagara Parks will continue to work with its principal beverage vendor, Coca-Cola, to promote sustainability and recycling initiatives and educate guests on current practices. Coca-Cola is the supplier for Dasani bottled water products as well.

As a company, Coca Cola is working toward making its packaging to be 100% recyclable worldwide as well as trying to create better bottles through strategies like developing plant-based resins and reducing the amount of plastic it uses.

### **Implications**

#### Financial

Bottled water sales for Niagara Parks for the 2017 year are provided in the table below. Retail sells a variety of bottled water, including Dasani, Nestle Purelife, Smart Water, Smart Water (Sparkling), and Evian Water. Culinary sells Nestle Purelife and Dasani.



Department	Quantity Sold in 2017	Gross Revenue in 2017
Retail	112,545 bottles of water	\$314,036
Culinary	136,783 bottles of water	\$353,845
<b>Total</b>	<b>249,328 bottles of water</b>	<b>\$667,881</b>

## Consultation

Staff from Retail, Culinary, Events, Parks and Engineering were consulted in the development of this report. NPC's largest bottled water vendor, Coca-Cola, was also consulted.

## Alternatives for Consideration

The Committee could direct staff to maintain the status quo; that is, to continue to sell bottled water and not to develop the formal plan "Eco-Friendly Alternatives to Bottled Water Transition Plan". Staff do not recommend this alternative as it does not align with NPC's mandate and vision.

## Rationale for Recommendation

The elimination of the sale of bottled water at Niagara Parks would prove to be a pivotal achievement for Niagara Parks to deliver on its core mandate as the environmental and cultural steward of the Niagara River corridor. With the availability of clean drinking water and through a proactive capital plan to install more water-filling stations, in addition to offering refillable water containers through Niagara Parks' Retail and Culinary outlets, the goal of eliminating the sale of bottled water at Niagara Parks is attainable. In addition, Niagara Parks is embarking on a new waste and recycling program that will assist significantly in diverting plastic bottles from landfill sites.

## Relevance to Strategic Plan

This initiative relates directly to the Niagara Parks mandate of preserving and promoting the natural and cultural heritage along the Niagara River corridor. Niagara Parks is also committed to delivering commercially successful products in a way that ensures benefits for everyone, including natural, social, and cultural environments.

## Other Pertinent Reports

None.



Prepared by: Original signed by: \_\_\_\_\_ Submitted by: Original signed by: \_\_\_\_\_  
Name(s): David Adames Name(s): David Adames  
Title(s): Chief Operating Officer Title(s): Chief Operating Officer

Authorized by Chief Executive Officer: \_\_\_\_\_ Date: [Click to select date](#)

## Appendices

None.