

**C A N A D A**  
**PROVINCE OF QUEBEC**  
**CITY OF CÔTE SAINT-LUC**

**EXTRACT FROM THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MONDAY, APRIL 11, 2022 AT 8:00 P.M. AT 5801 CAVENDISH BOULEVARD, CÔTE SAINT-LUC**

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220406

**CÔTE SAINT-LUC BILL 96 RESOLUTION**

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WHEREAS when the *Charter of the French Language*, (C.Q.L.R. chapter C-11) (“Charter”) was adopted by the Quebec National Assembly in 1977, it specifically included a preamble which states that the Charter be adopted “in a spirit of fairness and open-mindedness, respectful of the institutions of the English-speaking community of Québec, and respectful of the ethnic minorities, whose valuable contribution to the development of Québec it readily acknowledges;”

WHEREAS the Côte Saint-Luc City Council (“Council”) represents a community where residents preferring to use either the French language or the English language have lived together in peace and harmony;

WHEREAS since the adoption of the Charter, the City of Côte Saint-Luc has been recognized as a bilingual institution under Section 29.1 of the Charter allowing it to provide services in English as well as French;

WHEREAS the Government of Quebec introduced a bill in the National Assembly of Quebec entitled “*Act respecting French, the official and common language of Québec*”, known as Bill 96;

WHEREAS the proposed amendments in the original Bill 96 included a shift in several clauses from the requirement of French for written communication to specifying that French must be exclusively used for both written and oral communication with no other language allowed for any members of an agency of the civil administration, including cities, and limits availability of written communications in English to those with eligibility to English schools, which will make it more difficult for municipalities to serve people in English and more difficult for many Quebecers to obtain services in the language of their choice;

WHEREAS by making it illegal for two Quebec government or municipal employees to speak to each other in English, even if they are both English-speaking, it will further discourage English-speaking Quebecers from applying or working for the Quebec government. According to the 2016 census, English is the first official language spoken by 13.7% of the Quebec population, yet only 1% of Quebec’s civil service are English-speaking;

WHEREAS Bill 96 would require an agency of the civil administration to file an annual report to state the number of positions which require knowledge of a language other than French, with the caveat that the Minister Responsible for the French Language may approve, reject or amend these directives;

WHEREAS Bill 96 will serve as an indirect way to ensure that English-language CEGEPs will be in a perpetual decline. This is accomplished by setting a cap on the percentage of spaces available at English-language CEGEPs, and then setting up a system that will inevitably lower that cap year after year;

CERTIFIED TRUE EXTRACT

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M<sup>e</sup> Jonathan Shecter  
City Clerk

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WHEREAS the Council adopted a resolution on October 4, 2021, unanimously expressing its strong concerns about the original draft of Bill 96 and asking the Government to withdraw Bill 96 from the order paper and engage in meaningful consultations with the English-speaking community;

WHEREAS the City of Côte Saint-Luc ("City") had hoped the Bill would be improved at Committee but instead the Bill has been made even worse by amendments which further limit the rights of English-speaking Quebecers to function in English in this province and to receive services in their language;

WHEREAS the Bill has now been amended to further limit the ability of municipalities to do things in English even if that is the preference of the person or entity they are dealing with;

WHEREAS the recently proposed amendment at Committee in article 88.0.2. includes a clause that all students attending English-language CEGEPS would be required to take three core courses in French in order to graduate. This requirement will affect the success rate of students and negatively affect their average and put them at a disadvantage when applying to universities. Furthermore, the amendments were made without consulting with English-speaking students or CEGEPs;

WHEREAS the number of students enrolled in the English-language public and private schools declined by 61.3% from 256,251 in the 1971-1972 school year to 99,042 in 2019-2020;

WHEREAS Bill 96 will have a further detrimental effect on the number of children being able to attend English schools;

WHEREAS the proposed amendments made at Committee to Bill 96 specify that legal documents of a municipality including employment contracts and contracts with outside parties be produced in French, even if it is not requested by the employee, the outside party, nor the municipality;

WHEREAS the recently proposed amendment made at Committee now includes article 204.29.1. which states that if a municipality is in violation of the Charter, the Minister Responsible for the French Language may unilaterally withhold all their funding from the Quebec Provincial Government which is arbitrary and completely ignores the judicial process and the autonomy of municipalities;

WHEREAS the organizations representing Quebec's English-speaking community are profoundly disturbed by Bill 96;

WHEREAS the Côte Saint-Luc City Council of and many of our residents are equally alarmed by provisions of Bill 96, and the proposed amendments thus far from the National Assembly Committee on Culture and Education;

WHEREAS the Association of Suburban Municipalities of which the City of Côte Saint-Luc is part, has vigorously denounced the provision of Bill 96 dealing with municipalities such as Côte Saint-Luc;

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WHEREAS on April 6, 2022, the *Union des municipalités du Québec* (UMQ) and the *Fédération québécoise des municipalités* (FQM), together representing all municipalities in Quebec, expressed their strong objection to the recent amendments to Bill 96;

WHEREAS Bill 96 will impact on rights, liberties, freedoms and obligations of the residents of the City of Côte Saint-Luc in respect of their ability to use the language of their choice in the public sphere;

WHEREAS language legislation should not cause the minority community to feel fear and that its rights are being diminished without its consent and this feeling is clear today amongst English-speaking Quebecers;

It was

PROPOSED BY COUNCILLOR STEVEN ERDELYI  
SECONDED BY COUNCILLOR ANDEE SHUSTER

AND RESOLVED:

“THAT The Côte Saint-Luc City Council again calls on the Government of Quebec to remove Bill 96 from the order paper and meaningfully consult with the English-speaking community of Quebec and associations such as the QCGN that represent the community before putting forward any legislation that would serve to amend the Charter of the French Language;

THAT The Côte Saint-Luc City Council further expresses its view that many of the amendments contained in Bill 96 and further amendments at the National Assembly Committee on Culture and Education are in clear contravention of the spirit of fairness and open-mindedness, and are not respectful of the English-speaking community of Quebec, as per the preamble and spirit of the existing Charter of the French Language;

THAT the Côte Saint-Luc City Council calls on the Government of Quebec to consult with the *Barreau du Québec* and constitutional experts prior to bringing forward new legislation in order to ensure that rights granted to residents of Quebec under the Quebec Charter of Human Rights and Freedoms, the Canadian Charter of Rights and Freedoms, and the Canadian constitution are not abridged by any modifications to the Charter of the French Language;

THAT the City of Côte Saint-Luc calls on the Government of Quebec to commit to not preemptively use the notwithstanding clause in this legislation and to commit that the Charter of the French Language remains subject to the Quebec Charter of Human Rights and Freedoms;

THAT The City of Côte Saint-Luc will vigorously oppose modifications of the Charter of the French Language including but not limited to those which:

- Create extra bureaucratic cost and paperwork for multiple levels of the Quebec Government, municipal bodies and private companies;

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- Further discourage English-speakers Quebecers to apply to work for the Quebec civil service;
- Reduce the ability of residents and city employees to get access to services in the language of their choice;
- Impose draconian penalties including cutting all provincial funding if municipalities serve residents in the language of their choice or allow workers to communicate amongst themselves in a language other than French;
- Further reduce the ability of our residents and the residents of Quebec to receive an education in English and could affect their future professions and livelihood;
- Further reduce the rights of bilingual institutions such as cities to operate in English as well as French.

THAT The City of Côte Saint-Luc directs its City Clerk to send copies of this resolution to all of members of the National Assembly of Quebec including the Member of the National Assembly for D'Arcy McGee, to all other municipalities in the Montreal Metropolitan Community, to the Member of Parliament for Mount Royal, to the federal Minister of Official Languages, to the Commissioner of Official Languages of Canada, to the *Union des municipalités du Québec* (UMQ), to the *Fédération québécoise des municipalités* (FQM) and to the Federation of Canadian Municipalities (FCM)."

CARRIED UNANIMOUSLY

CERTIFIED TRUE EXTRACT

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M<sup>e</sup> Jonathan Shecter  
City Clerk