



STAFF REPORT ACTION REQUIRED

Request to post a Notice of Decision under the Cemeteries Act for a Columbarium addition in a local newspaper– 2700 Kingston Road

Date:	September 19, 2012
To:	Scarborough Community Council
From:	Director of Toronto Building, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	2012SC005 File No. 11 285282 BLD 00 BA

SUMMARY

Resthaven Memorial Gardens Cemetery in the former City of Scarborough completed construction of an addition to the existing Columbarium with an area of approximately 78 square metres and with a height of approximately 3.7 meters. The owner was issued a Building Permit on December 12th, 2011 to construct the addition.

The owner is required to obtain consent from the Registrar, Ministry of Consumer and Business Services under the *Cemeteries Act (Revised)* as the Columbarium is larger than 15 cubic metres. This requires the municipality to post a “Notice of Decision in a local newspaper” (s.5 (3) (b)). The posting of a “Notice of Decision” will require a Council resolution.

RECOMMENDATIONS

Toronto Building, Scarborough District recommends that:

- 1. City Council authorize the Clerk for the City of Toronto to provide public notice, costs to be paid by the owner, of the establishment of a Columbarium within the Resthaven Memorial Gardens Cemetery at 2700 Kingston Road, Toronto, Ontario; and**

- (a) to send a copy of City Council's decision to the applicant and the Registrar, Ministry of Consumer and Business Services, Cemeteries Regulation Unit; and

2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

Resthaven Memorial Gardens Cemetery is located at the north west corner of Brimley Road and Kingston Road. The cemetery is owned and operated by the Memorial Gardens Canada Limited. The Resthaven Memorial Gardens Cemetery was licensed by the Province in 1951. The cemetery contains an administrative building, a chapel, service buildings and exterior niches buildings. The bulk of the property is developed with in-ground burials. This addition will accommodate up to 602 niches.

The owners of the cemetery have constructed the addition to the Columbarium on their property, pursuant to the issuance of the building permit in December 2011. As the new Columbarium will be larger in size than 15 cubic meters, the applicant is required to obtain consent from the Registrar, Ministry of Consumer and Business Services.

COMMENTS

On December 12th, 2011, Resthaven Memorial Gardens Cemetery was issued a building permit to construct an addition to the existing Columbarium which is a permitted use under the existing zoning. The proposed structure was not subject to a site plan control application as it was not deemed to be development as defined. The location of the Columbarium is more than 140 metres from the Kingston Road street line and 216 metres from the residential properties to the west. It is located within the cemetery grounds which is at the north west corner at Brimley and Kingston Roads. See the attached location map.

In order to obtain the approval of the Ministry, the applicant requires the municipality to post a "Notice of Decision in a local newspaper" (s.5 (3) (b)). The posting of a "Notice of Decision" will require a Council resolution.

CONTACT

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SIGNATURE

John Heggie
Director of Toronto Building
Scarborough District

ATTACHMENT 1

1. Location Plan
2. Applicant's letter
3. Ministry of Consumer Services letter to Memorial Gardens Canada Ltd.