

## **Mount Pleasant Cemetery (Plot Q) - 375 Mount Pleasant Road**

<b>Date:</b>	December 07, 2011
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Toronto Building, Toronto and East York District
<b>Wards:</b>	Ward 22 - St. Paul's
<b>Reference Number:</b>	P:\2012\Cluster B\BLD\Toronto and East York\2012TE002

### **SUMMARY**

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This staff report is based on an application brought forward by Glen E. Timney, Director of Development Mount Pleasant Group of Cemeteries.

A private family mausoleum is proposed by the interment rights holder and is larger than 15 cubic metres, the owner is required to obtain consent from the Registrar, Cemeteries Regulations Branch, Ministry of Consumer Services under the Cemeteries Act (Revised) The purpose of this report is to provide the required public notice of the establishment of a private family mausoleum on a lot located in Plot Q in the Mount Pleasant Cemetery, 375 Mount Pleasant Road, Toronto, Ontario.

### **RECOMMENDATIONS**

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The Toronto Building Division recommends that:

1. City Council authorize the Clerk for the City of Toronto to provide public "Notice of Decision", costs to be paid by the applicant, for the establishment of a private family mausoleum within the Mount Pleasant Cemetery, know municipally as 375 Mount Pleasant Road, Toronto, ON and
  - a. send a copy of City Council's decision to the applicant and the Registrar, Cemeteries Regulations Branch, Ministry of Consumer Services
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

Mount Pleasant Cemetery is an 83 ha (205 acre) property generally located between Yonge Street (on the west), Merton Street (on the north), Bayview Avenue (on the east), and Moore Avenue, Heath Street and Glen Elm Avenues (on the south). The cemetery is owned and operated by the Mount Pleasant Group of Cemeteries, a private, non-profit, non-denominational cemetery operator. The Mount Pleasant Cemetery was established in 1876 and licensed by the Province in 1939.

The cemetery contains an administration office, two maintenance facilities, a community mausoleum (housing two chapels), a crematorium, a visitation centre, and 24 private family mausolea. The majority of the property is developed with in-ground burials. The area of the interment right proposed for the private family mausoleum subject to this report is located on the west side of Mount Pleasant Cemetery on Plot Q, approximately 78.03 M (256 ft.) east of the Yonge Street (west) property line and 91.44 M (300 ft.) north of the Glen Elm Avenue (south) property line of the cemetery. See the attached location map.

The private family mausoleum is permitted under the existing zoning. The applicant must obtain consent from the Registrar, Cemetery Regulations Branch, Ministry of Consumer Services under The Cemeteries Act (Revised) as the mausoleum is larger than 15 cubic metres. Prior to the applicant obtaining consent from the Provincial Registrar the municipality is required to approve the application through Council resolution, post a "Notice Of Decision" in a local newspaper (s.5 (3)(b), and issue a building permit through the normal approval process.

## **COMMENTS**

### **Facility**

The private family mausoleum will be positioned on the family lot within the cemetery. It is proposed to be approximately 27.2 M<sup>2</sup> in floor area (5.03 M x 5.94 M) and approximately 3.72 M in height. The structure will provide for 12 individual crypts.

### **Official Plan**

The cemetery use conforms to the approved City of Toronto Official Plan which designates the Mount Pleasant Cemetery site as "Other Open Space Areas" which permits cemetery and associated uses which would include the proposed mausoleum.

### **Zoning By-law**

The subject lands are placed in the G-Park zone by Zoning By-Law 438-86, as amended. The mausoleum is a permitted use within the cemetery. Mausoleum exceeding 4 M in height must be set back a minimum of 3 M to a lot within a Residential Zone. The building proposed in this application for consent exceeds the minimum setback regulations in the Zoning By-law. There are no parking requirements. All parking is provided on the extensive network of cemetery roadways.

## **Site Plan Approval**

Given the nature of the use and the size of the proposed building site plan is not be required. The site would not require any change of access to the cemetery and the building will be accessed from the existing internal cemetery roadways. No parking is required and normal practice is for the cemetery roads to provide for parking. The area affected by the building is not landscaped or treed. There is no need for tree removal. There is no need for landscape treatments over and above what the cemetery may choose to do. The building does not require any form of site servicing (no electrical, mechanical, sanitary or water connections). There is no garbage pick-up required (it is handled as in the rest of the cemetery-privately and internally accommodated). There will be no lighting within or on the building. There would be no need for additional fencing or screening.

As defined under the Planning Act the proposed building would not represent development that would be a change in use or a substantial increase in the usability of the property.

In 2005 at the Mount Pleasant Cemetery a 12 crypt private family mausoleum (20.9 M2 in size and 4.7 M in overall height) was permitted without site plan approval. In 2010 a 2 crypt and 2 niche private family mausoleum (38.43 M2 in size and 5.9M in overall height) was also permitted at Mount Pleasant Cemetery without site plan approval. The current proposed building does not constitute an increase in capacity of the cemetery.

In our opinion a building of this size and type in the proposed location is not considered development under the Planning Act and as such can proceed without site plan approval.

The application was reviewed with Planning Staff and they concur with the above.

## **Building Permit**

The application is subject to a building permit and the owners must obtain a building permit prior to commencing construction.

## **Conclusion**

The private family mausoleum satisfies all municipal approval requirements, save and except the review and issuance of a building permit. Staff recommend that a resolution be passed allowing a "Notice of Decision" be placed in the local newspaper as set out by the Cemeteries Act (Revised), The applicant has agreed to pay all cost for the associated posting of the Notice of Council's decision.

**CONTACT**

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**SIGNATURE**

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**ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevation  
Attachment 3: Elevations