

## **Donation of Land from Mount Pleasant Group of Cemeteries to City of Toronto**

**Date:** May 24, 2017

**To:** City Council

**From:** Chief Corporate Officer

**Wards:** Ward 23

### **SUMMARY**

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This report concerns the proposed donation to the City by Mount Pleasant Group of Cemeteries of approximately 23.277 acres of natural ravine land comprising a portion of the lands known as York Cemetery, municipally known as 101 Senlac Road, Toronto, shown as Parts 1, 2 and 3 on the draft reference plan attached hereto as Appendix "B". The purpose of this report is to seek City Council's approval for the donation of the subject lands as required under the Policy on Donations to the City for Community Benefits described below, and to enter into an Offer to Donate with Mount Pleasant Group of Cemeteries on terms and conditions to be negotiated by City staff.

### **RECOMMENDATIONS**

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**The Chief Corporate Officer recommends that:**

1. City Council approve the donation to the City by Mount Pleasant Group of Cemeteries ("MPGC") of approximately 23.277 acres of natural ravine land comprising a portion of the lands known as York Cemetery, municipally known as 101 Senlac Road, Toronto, designated as Parts 1, 2, and 3 on the draft reference plan attached as Appendix "B" to this report (the "Lands"), including future and ongoing obligations arising from the donation, as detailed in the Financial Impact Statement below.
2. Staff negotiate an Offer to Donate the Lands with MPGC substantially on the terms outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the offer on behalf of the City.
3. The City Solicitor be authorized to complete the transactions on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

## **FINANCIAL IMPACT**

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In accordance with the Donations Policy, a donation of real property to the City is subject to Council approval. Donations are only to be accepted if the receiving Division has the capacity to meet the initial and ongoing costs and obligations associated therewith.

MPGC has offered to donate the Lands to the City for nominal consideration for parkland purposes. No costs will be incurred by the City upon entering into an Offer to Donate with MPGC.

An appraisal was conducted to determine the value of the Lands which was established at \$2,909,625.00.

The Lands will remain naturalized and no park development will occur thereon.

Annual maintenance and inspection costs for the Lands are considered minor and can be accommodated within the existing 2017 Council Approved Operating Budget for Parks, Forestry & Recreation.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

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The "Donations Policy" referred to in this report is the Policy on Donations to the City for Community Benefits, being consolidated clause 7(3) of the Policy and Finance Committee Report 7, which was considered by City Council in its meeting on September 25, 26, 27 and 28, 2006. The Donations Policy requires City Council approval of all donations of land to the City.

## **COMMENTS**

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MPGC offered to donate the Lands to the City for parkland purposes. The Lands are vacant but form part of York Cemetery and are licensed as a cemetery pursuant to the Funeral Burial and Cremation Services Act (the "FBCSA"). Although York Cemetery is an active cemetery, the Lands comprise a portion of the cemetery that is undeveloped and has not been used for burial or cremated remains scattering. Prior to transferring the Lands, MPGC is required to de-license the Lands in accordance with the provisions of the FBCSA. The requisite cemetery de-licensing represents a "cemetery closure" under the FBCSA and is governed by the Ministry of Government and Consumer Services ("MGCS"). MPGC is awaiting approval from MGCS for the partial closure. Upon confirmation from MGCS that the Lands have been de-licensed and closed, MPGC will register a reference plan for the Lands and submit an Offer to Donate to the City.

Upon completion of the Offer to Donate, title to the Lands will be held in the name of the City.

In accordance with the Donations Policy, the offer to donate will contain a declaration on behalf of the owner that the donation of the Property is made unconditionally, voluntarily and at arm's-length from any concurrent decision-making process of the City or its agencies, boards or commissions.

Staff considers the offer to donate to be at arm's length, fair and reasonable.

## **CONTACT**

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## **SIGNATURE**

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Josie Scioli,  
Chief Corporate Officer

## **ATTACHMENTS**

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Appendix "A" - Terms and Conditions  
Appendix "B" - Draft R-Plan  
Appendix "C" - Location Map

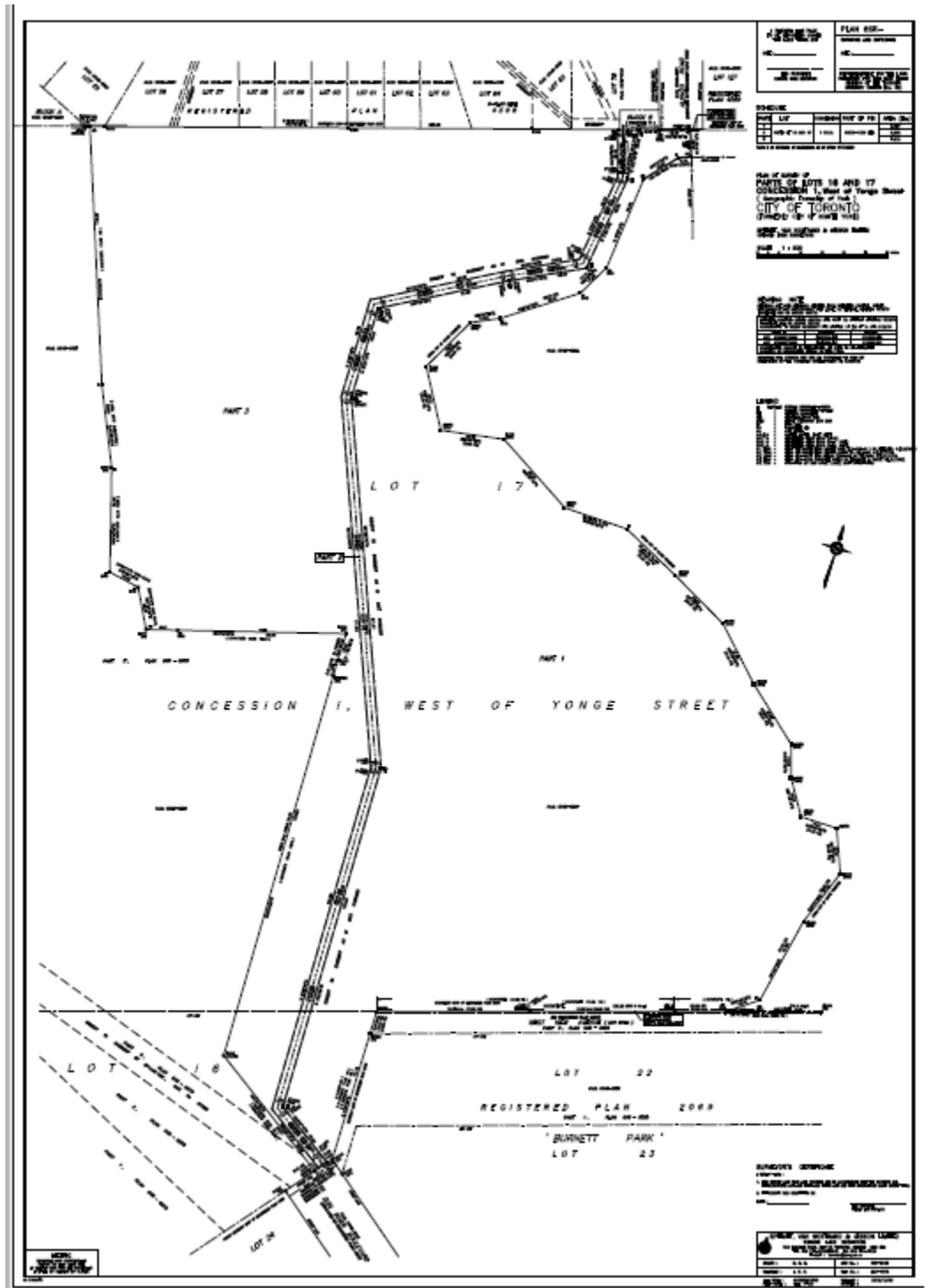
## **APPENDIX "A"**

### Terms and Conditions of Offer to Donate

Donor:	Mount Pleasant Group of Cemeteries
Location:	101 Senlac Road, Toronto
Legal Description:	Concession 1, WY, Part Lot 16 and Part Lot 17
Appraised Value of Property:	\$2,909,625.00
Consideration for Property:	\$10.00
Closing Costs:	\$200.00
Approximate Lot Size:	23.277 acres approximately

# APPENDIX "B"

## Draft R-Plan



**APPENDIX "C"**

**LOCATION MAP**

