TORONTO Member Motion

City Council

Notice of Motion

MM39.12	ACTION			Ward:22

Assessing the City of Toronto's Interest in the Mount Pleasant Cemeteries Land - by Councillor Josh Matlow, seconded by Councillor Janet Davis

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the Government Management Committee. A two-thirds vote is required to waive referral.***

Recommendations

Councillor Josh Matlow, seconded by Councillor Janet Davis, recommends that:

1. City Council request the City Solicitor to report to the July 3, 2018 Government Management Committee meeting on the City of Toronto's interest in the August 21 and 22, 2018 matter before the Ontario Superior Court regarding the Mount Pleasant Group of Cemeteries.

Summary

On August 21 and 22, 2018 the future of 1,200 acres of cemetery trust parklands known as 'Mount Pleasant Group of Cemeteries' are at stake. Mount Pleasant Group of Cemeteries currently claims to be a privately-owned cemetery, but there is strong evidence suggesting it is a historic public trust created by statute of the legislature of Upper Canada in 1826, which continues to be governed by that legislation.

Although the legislation governing the public trust is Provincial, the loss of this green space would have a significant impact on Toronto residents.

A group of concerned citizens has formed a corporation called 'Friends of Toronto Public Cemeteries'. On April 30, 2013 the Friends of Toronto Public Cemeteries filed an application with the Superior Court of Ontario asking for a number of declarations regarding 'Mount Pleasant Group of Cemeteries,' including reaffirmation that Mount Pleasant Group of Cemeteries is a trust created for the benefit of the public and is still governed by the Special Act that created it.

This Motion requests the City Solicitor to report to the July 3, 2018 Government Management Committee on the City's interest in the August 21 and 22, 2018 matter before the Ontario Superior Court regarding the Mount Pleasant Group of Cemeteries.

Background Information (City Council)

Member Motion MM39.12