

City Council

Notice of Motion

MM47.64	ACTION			Ward: 15
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1250 Bayview Avenue, Mount Pleasant Cemetery ("Plot O"): Request for Public Notice Motion - Councillor Josh Matlow, seconded by Councillor Mike Colle

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Josh Matlow, seconded by Councillor Mike Colle, recommends that:

1. City Council find that the request to construct a private family mausoleum at the Mount Pleasant Cemetery located at 1250 Bayview Avenue, on an existing interment right located within Plot O in Building Permit File: 22 125274 BLD 00 BA, is in the public interest and City Council approve the application under the Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11.
2. City Council authorize the City Clerk to provide public "Notice of Decision", costs to be paid by the owner, for the establishment of a private family mausoleum within the Mount Pleasant Cemetery, known municipally as 1250 Bayview Avenue, Toronto, Ontario and send a copy of City Council's decision to the owner and to the Registrar, Bereavement Authority of Ontario.
3. City Council authorize and direct the appropriate City officials to take the necessary action to give effect to City Council's decision.

Summary

The Mount Pleasant Group of Cemeteries is proposing to construct a private family mausoleum at the Mount Pleasant Cemetery, on an existing interment right located within Plot O at the Mount Pleasant Cemetery (see Attachment 1). Mount Pleasant Cemetery municipally known as 375 Mount Pleasant Road (which for the purpose of City Applications utilizes the legal address of 1250 Bayview Avenue), is regulated as required under the Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11. Matters related to the establishment, alteration and expansion of cemeteries, burial sites and crematoriums are addressed under the Funeral Burial and Cremation Services Act and Ontario Regulation 30/11 (the Regulations).

The Funeral Burial and Cremation Services Act requires the Registrar's Consent, together with the approval of the City, for a proposal to establish, alter, or increase the capacity of a cemetery and a public notice. This is required under the Funeral Burial and Cremation Services Act as the construction of any Mausoleum or columbarium structure with a total volume larger than 15

cubic metres is subject to these requirements. The owner is required to obtain the City's approval, in the form of a Building Permit, prior to requesting approval for Consent from the Registrar. The Funeral Burial and Cremation Services Act also specifies that in addition to the issuance of a Building Permit, the local municipality that receives such a request shall grant the approval if, in the municipality's opinion, it is in the public interest, and that the municipality must publish a notice confirming that decision per the Funeral Burial and Cremation Services Act.

The private family mausoleum satisfies all municipal approvals. Toronto Building has received and issued a building permit for the proposed construction as the application was in compliance with the Ontario Building Code and applicable By-law(s), including zoning. City Planning has not identified any concerns with the proposal as the construction does not represent development and does not require Site Plan Approval under the Planning Act.

This Motion is urgent as City Council's decision is necessary to allow a "Notice of Decision" to be placed in a local newspaper as set out in the Funeral Burial and Cremation Services Act for the establishment of a private family mausoleum on a lot located in Plot O in the Mount Pleasant Cemetery, 1250 Bayview Avenue, Toronto, Ontario.

Background Information (City Council)

Member Motion MM47.64

Attachment 1 - Diagram of Plot O at the Mount Pleasant Cemetery

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228720.pdf>)