



**City of Kingston  
Report to Council  
Report Number 15-362**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Commissioner, Community Services  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** September 15, 2015  
**Subject:** Request for Municipal Approval – Cataraqui Cemetery, 927 Purdy’s Mill Road

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**Executive Summary:**

The Cataraqui Cemetery Company is requesting Municipal approval from the City of Kingston for the construction of a new mausoleum building. Zoning permits this use and no Site Plan approval is required. Before the Cataraqui Cemetery Company can proceed, the Cemeteries Regulations Unit of the Ministry of Government and Consumer Services requires Council approval and that Council publish a notice of approval in a local newspaper.

**Recommendation:**

**That** Council approve the construction of the new mausoleum building at the Cataraqui Cemetery, located at 927 Purdy’s Mill Road.



September 15, 2015

Page 3 of 4

**Options/Discussion:**

As per Section 84.(1) of the Funeral, Burial and Cremation Services Act, 2002, the Cataraqui Cemetery Company is requesting approval from the City of Kingston for the construction of a new mausoleum building. The new mausoleum building will have 6 crypts and 84 niches to add to the inventory on site.

The Planning Division has advised that the site is designated as Open Space in the Official Plan and is zoned as "I" Institutional Zone in Zoning By-Law Number 76-26. This zoning specifically permits cemeteries.

No Site Plan approval is required for this structure.

A building permit has not been issued by the City of Kingston and no work will commence on this project until Council has approved this request and all other approvals have been granted. Before the Cataraqui Cemetery Company can proceed, the Cemeteries Regulations Unit of the Ministry of Government and Consumer Services requires Council approval and the City of Kingston to publish notice of its approval in a local newspaper. There is no requirement for a public meeting. Staff recommend that Council advise the Cataraqui Cemetery Company that it has no objection to the proposed mausoleum building and post the approval in a local newspaper as required by the Funeral, Burial and Cremation Services Act, 2002.

**Existing Policy/By-Law:**

Section 84.(1) of the Funeral, Burial and Cremation Services Act, 2002 states that "A local municipality that receives a request for an approval to establish, alter or increase the capacity of a cemetery in the municipality shall grant the approval if, in the municipality's opinion, it is in the public interest. 2006, c. 34, Sched. D, s. 57 (1)".

**Notice Provisions:**

Notice of Council approval is required to be published in a local newspaper.

**Accessibility Considerations:**

Not applicable

**Financial Considerations:**

There are no costs to the City in approving this recommendation, and any advertising costs associated with the public notice will be borne by the applicant.

**Contacts:**

Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

Lisa Capener-Hunt, Supervisor, Building Services 613-546-4291 extension 3225

September 15, 2015

Page 4 of 4

**Other City of Kingston Staff Consulted:**

Not applicable

**Exhibits Attached:**

Exhibit A Ministry Requirements for Mausoleum

Exhibit B Site Location of Mausoleum and Dimensions

Ministry of Government  
and Consumer Services

Ministère des Services  
gouvernementaux et des Services aux  
consommateurs



Cemeteries Regulations Unit

Unité de la réglementation des cimetières

Consumer Protection Branch  
5775 Yonge Street, Suite 1500  
Toronto ON M7A 2E5  
Tel.: 416 326-8393  
Toll-free: 1 800 889-9768  
Fax: 416 326-8406

Direction de la protection du consommateur  
5775, rue Yonge, bureau 1500  
Toronto ON M7A 2E5  
Tél. : 416 326-8393  
Sans frais : 1 800 889-9768  
Télé. : 416 326-8406

June 1, 2015

Licence #: 3269782-1  
Site #: 00718

Mr. Robert Lemmon  
General Manager  
The Cataraqui Cemetery Company  
927 Purdy's Mill Road  
Kingston, Ontario  
K7M 3N1

Dear Mr. Lemmon:

**Re: Cataraqui Cemetery – Consent Application for Columbarium / Mausoleum (00718)**

The Consent Application and all accompanying documentation are being returned because the application did not contain all of the required supporting documents. As the structure is greater than 15 cubic metres or 530 cubic feet, we will require additional documentation in order to proceed with the consent application. Our office requires the following in order to proceed with processing this Consent Application:

- 1) Proof of municipal approval in the form of a resolution or by-law passed by council and signed by the City Clerk.
- 2) Copy of the Approval Notice published by the Municipality. I have enclosed a sample of notice of municipal decision.
- 3) A site plan if there is one.
- 4) Provide the dimensions of an individual niche for the columbarium / mausoleum. The individual dimensions were not included on the plans provided.
- 5) If the cemetery or any part of it is designated under the Ontario Heritage Act, a copy of the designation by-law.
- 6) Our office must receive written confirmation that there are no interment rights holders within 30 feet of the proposed alteration. Please contact me directly if there are interment rights holders within 30 feet of the proposed alteration as two newspaper notices will have to be published and a sign will have to be posted for 4 weeks. Assistance from our office will be provided for the wording of the notice and sign.
  - a. Notice of **application for consent** published once a week for two consecutive weeks. This notice is completely separate from the Municipalities "Notice of Decision"; and
  - b. The signage at the cemetery for four (4) consecutive weeks. Provide photos of signage with the beginning and end dates on the reverse side of the photo.
- 7) A copy of the building permit.

Return the Consent Application with all of the documentation that was previously sent and with all of the additional missing documentation requested in this correspondence. We will be pleased to continue with the Consent Application when all requirements have been completed and returned to our office.

If you require further clarification, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christina Sefcik', with a large, sweeping flourish extending to the right.

**Christina Sefcik**  
Compliance Officer  
Cemeteries Regulation Unit  
Phone: 416 326-8402  
Email: [christina.sefoik@ontario.ca](mailto:christina.sefoik@ontario.ca)

Enclosures

**Ministry of Government  
and Consumer Services**

**Ministère des Services  
gouvernementaux et des Services  
aux consommateurs**



Cemeteries Regulations Unit

Unité de la réglementation des cimetières

Licensing, Inspections and  
Investigations Branch  
5775 Yonge Street, Suite 1500  
Toronto ON M7A 2E5  
Tel.: 416 326-8393  
Toll-free: 1 800 889-9768  
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## Sample Notice of Municipal Decision

Funeral, Burial and Cremation Services Act, 2002 [Sections 84.(4)(b) and 85]

### FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002 NOTICE OF DECISION

<Municipality name>

TAKE NOTICE that on <date of approval> Council of the <Municipality name> approved the <establishment, alteration or increase of cemetery at/address/location of cemetery> to permit <specifics of what approved (see below for examples)>

AND FURTHER TAKE NOTICE that the applicant, Registrar or any person with an interest therein may, within 15 days after publications of this notice refer the decisions to the Ontario Municipal Board for as hearing.

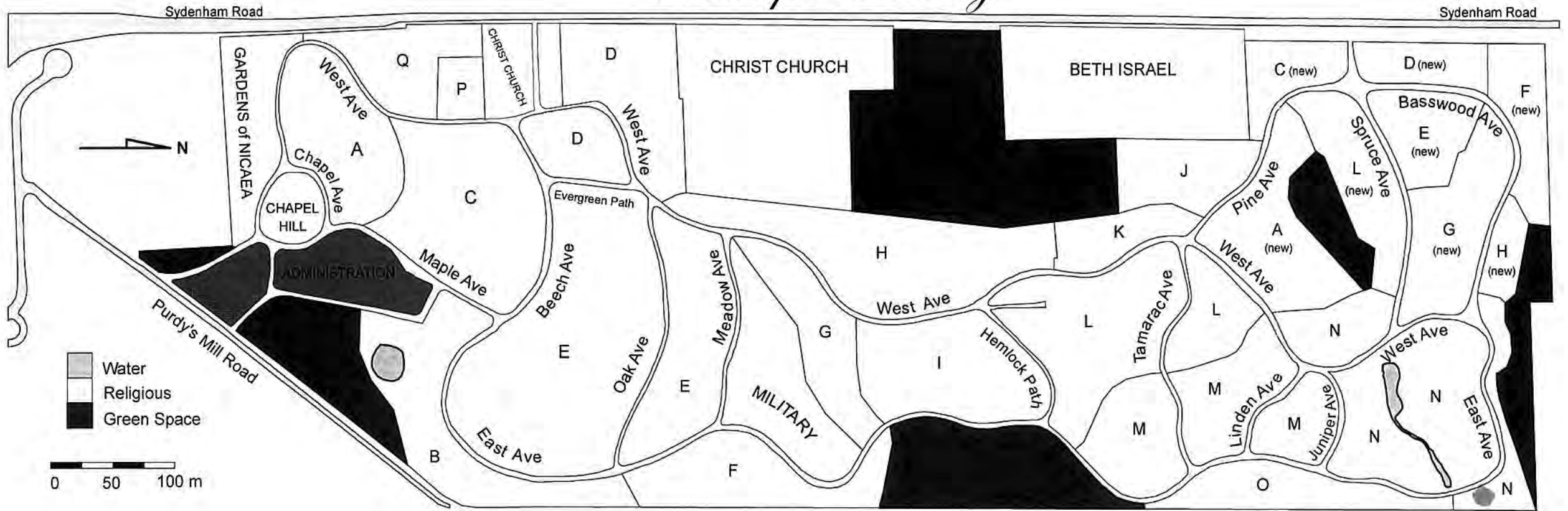
Further information may be obtained from <municipality contact information to obtain further information>

Dated at <municipality> this <date> day of <month,year>

Specifics of what approved:

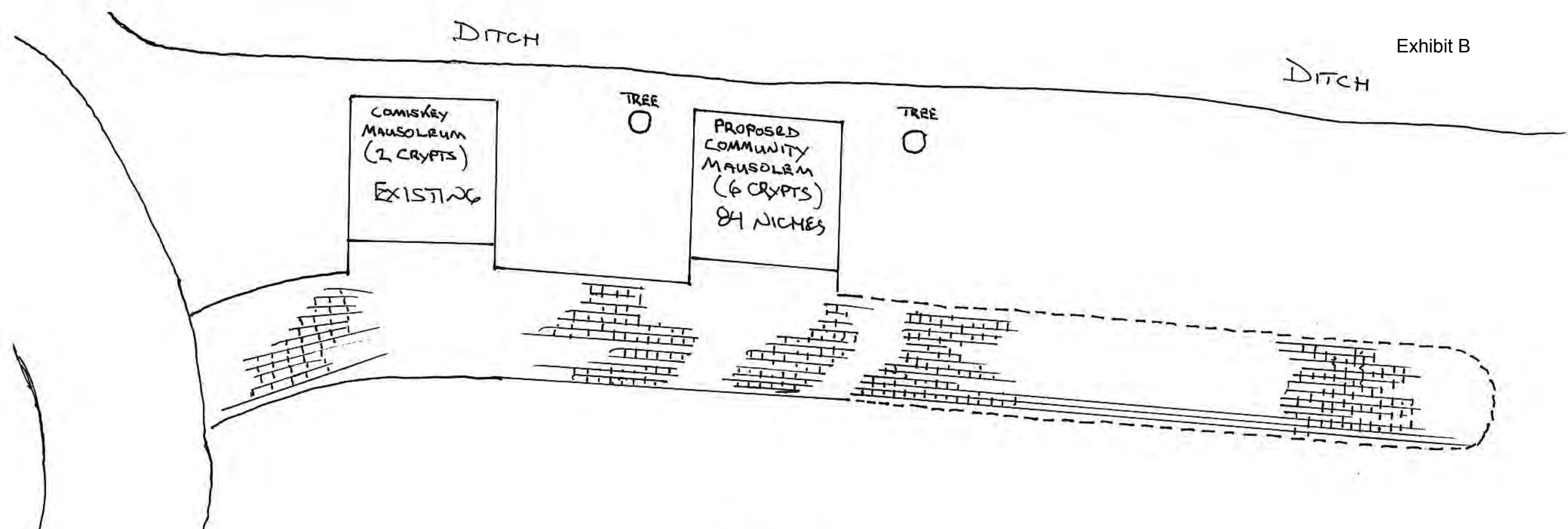
In this section provide sufficient detail to identify what was approved. (For example: a one acre cemetery; a six floor mausoleum containing 10,000 crypts; a one floor columbarium containing 2000 niches; a single storey two retort crematorium building)

# Cataraqui Cemetery

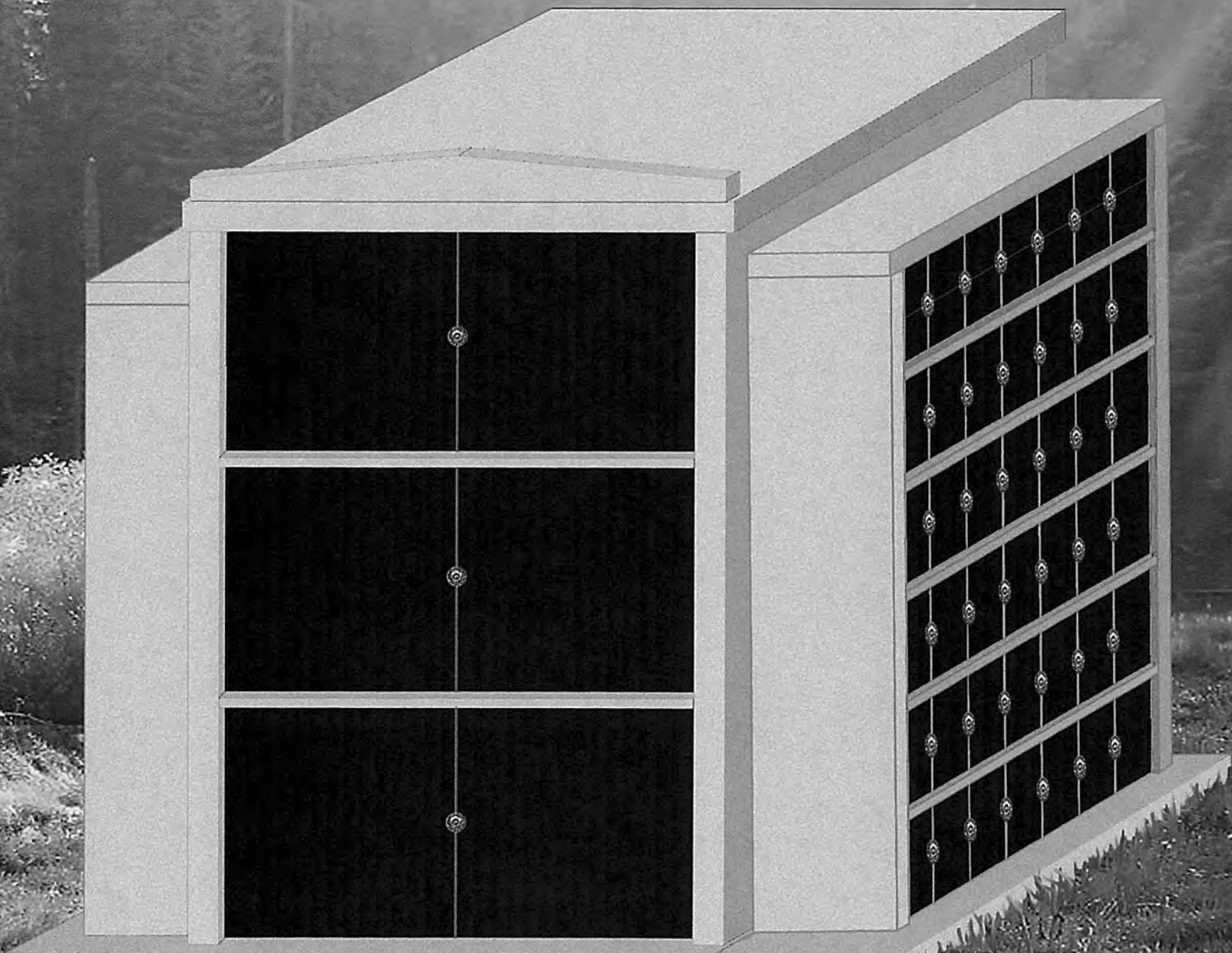


● LOCATION OF TRILLIUM PATH MAUSOLEUM A SECTION N





DETAIL OF LOCATION  
OF TRILLIUM PATH MAUSOLEUM A  
SECTION N



图纸编号/Order No. 2015/3/12 HYS

